

North Yorkshire Council

Environment Executive Members

09 August 2024

Proposed experimental traffic regulation order (ETRO) prohibiting overnight motor caravan parking on various streets, including at Sandsend, Scarborough and Cayton Bay

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

1.0 PURPOSE OF REPORT

- 1.1 To seek the approval of the Corporate Director for Environment, in consultation with the Executive Member for Highways and Transportation and taking into consideration the comments of the Yorkshire Coast Area Constituency Committee, to introduce an experimental traffic regulation order prohibiting the overnight parking of motor caravans in certain streets, including at Sandsend, Scarborough and Cayton Bay, between the hours of 11pm and 7am.

2.0 SUMMARY

- 2.1 The proposals in the report seek to address a recurrent and long-standing issue concerning the proliferation of motor-caravans accessing North Yorkshire's sea front streets for the purposes of overnight parking.
- 2.2 The locations about which we presently receive the majority of complaints were controlled by a Temporary Traffic Regulation Order (TTRO) between 2012 and 2015, which prohibited the overnight parking of motor caravans between the hours of 11pm and 7am. The locations are, from north to south:
- A174 Sandsend to Raithwaite, 3 miles north of Whitby
 - Royal Albert Drive, Scarborough North Bay
 - Osgodby Hill and Filey Road, ('old' A165), Cayton Bay, 3 miles south of Scarborough
- 2.3 On 31 July 2015, a report to North Yorkshire County Council Executive Members (Appendix A) at that time resulted in a decision (Appendix B) for the TTRO for these streets to be allowed to lapse.
- 2.4 This report proposes an overnight parking prohibition for motor caravans is re-introduced at the above locations on a trial basis, using an Experimental Traffic Regulation Order (ETRO) which, following the required call in, legal advertisement and notice period, would be targeted to be enforceable from 13 September 2024 and earlier if possible.
- 2.5 Experimental Traffic Regulation Orders (ETROs) are a useful tool as they allow us to trial a restriction in a "live" situation for up to 18 months, with the consultation period running alongside the trial for the first 6 months.
- 2.6 An ETRO is flexible as it allows for immediate feedback and minor changes within the first 6 months, if changes were made, the 6-month consultation period would start again. A decision on making the scheme permanent or removing it would need to be taken within 18 months of the ETRO first coming into force.

- 2.7 It is acknowledged that many concerns have also been raised in connection with other streets, these are listed in Appendix C. Some of the streets have experienced issues relating to the overnight parking of motor caravans, whilst other sites have had issues caused by inconsiderate parking regardless of the type of vehicle.
- 2.8 Due to the need to prioritise action at the three most impacted locations to begin with, the other locations will be considered for action as soon as resources allow. If the ETRO is approved, it would be practical to carry out any further parking surveys at a time when any potential knock-on effects from the ETRO have materialised e.g., if motor caravans begin parking overnight on streets where we already receive complaints, or at other locations.

3.0 BACKGROUND

- 3.1 There have been previous measures introduced to deal with the impact on highway amenity in response to this issue.
- 3.2 On 28 June 2012, an 18-month Temporary Traffic Regulation Order (TTRO) was introduced which prohibited the overnight parking of motor caravans, 11pm to 7am, all year round on various seafront streets. On its expiration, a further TTRO was made on 13 January 2014 which expired on 22 July 2015.
- 3.3 A proposal for a Permanent Traffic Regulation Order (TRO) to replace the Temporary one was consulted upon in May-August 2014 and in early 2015.
- 3.4 The report to Business and Environmental Services Executive Members of 31 July 2015 (Appendix A) documents the reasons for the temporary prohibition, and the resultant decision (Appendix B) was not to continue with restrictions on those streets with no directly adjacent dwellings. The differing degrees of 'loss of amenity' suffered by road users and residents was a key factor considered when making this decision. The Permanent TRO was made on 17 August 2015. Table 1 summarises the situation.

Table 1:

2012-2015 streets covered by a Temporary TRO prohibiting motor caravans from parking overnight 11pm – 7am	Current position
<ul style="list-style-type: none"> • The Parade (A174 Lythe Bank). Sandsend • North Promenade, East Terrace, Royal Crescent, Love Lane, North Terrace, Church Street, Whitby • Sandside, Foreshore Road, Esplanade, Scarborough • The Beach, Crescent Hill and The Crescent, Filey, 	Motor caravan parking restrictions still in force – a Permanent TRO was approved in August 2015
<ul style="list-style-type: none"> • A174 Sandsend to Raithwaite, 3 miles north of Whitby • Royal Albert Drive, Scarborough North Bay • Osgodby Hill and Filey Road, ('old' A165), Cayton Bay, 3 miles south of Scarborough. 	The temporary Order lapsed in 2015. No overnight parking restrictions for motor caravans currently in place.

4.0 CURRENT SITUATION

- 4.1 Due to the continuing interest in motor-caravanning, the locations which have seen a proliferation in the amount of motor caravans parking and being occupied for a night/ a number of nights on the highway are:
- A174 Sandsend to Raithwaite, 3 miles north of Whitby
 - Royal Albert Drive, Scarborough North Bay
 - Osgodby Hill and Filey Road, ('old' A165), Cayton Bay, 3 miles south of Scarborough
- 4.2 Location plans are shown at Appendix D.
- 4.3 Sandsend and Royal Albert Drive are both prime seafront parking locations with on-street pay and display parking in operation daytime March to October. Overnight and in winter parking is free.
- 4.4 The 'old' A165 at Cayton Bay is now a cul-de-sac at both ends (Filey Road and Osgodby Hill) following the construction in 2007/8 of the new A165 further inland due to coastal erosion. Parking here is unrestricted and free, with the road providing access to a privately run car park and the beach. National cycle route 1 runs along here.
- 4.5 In 2020, during the Covid pandemic, the incidence of complaints about vehicles parking for long durations including overnight, whether on roads or verges, and about activities associated with these vehicles reached an unprecedented level and complaints continue to be made to various council departments and to the police.
- 4.6 Appendix E shows a selection of complaints received with officer comment, and Appendix F shows a selection of social media posts about the issue.
- 4.7 In order to gather recent evidence about the current levels of overnight parking at the most complained about locations, a series of parking beat surveys were carried out over the Early May Bank Holiday weekend on 04, 05 and 06 May 2024. The locations were surveyed twice a day on all three days, once in the morning between 7am and 10am and again in the afternoon between 1pm and 3pm. If vehicles were observed on two consecutive days, an assumption has been made that they stayed one night; if observed over three consecutive days then an assumption has been made that they stayed two nights. The types of vehicles were recorded, as well as the number of marked pay & display bays larger vehicles were occupying.
- 4.8 Photographs taken during the three days of the survey are shown at Appendix G.
- 4.9 A summary of the parking beat survey findings is shown at Appendix H, which shows that across all three locations, 210 vehicles have been assumed to have stayed overnight, whether for one night or two.
- 4.10 76 (36%) of the overnighting vehicles were easily identifiable as motor caravans. 78 (37%) appeared to be small campervans and a further 29 (14%) appeared to be vans.



Image 1: Royal Albert Drive, Scarborough North Bay, during the parking survey on Saturday 5 May 2024

- 4.11 More recent photographs, taken on Saturday 20 July 2024, can be seen in Appendix I.
- 4.12 Motor caravans are as welcome at seafront parking locations as any other vehicle in the daytime. But extended stays, which usually include overnight parking, restrict the ability of other visitors to find suitable parking when visiting the area for recreation.
- 4.13 Where there are large number of motor caravans, the character of the streets can change to resemble a camp site, families/friends in different motor caravans were observed to have parked adjacent one another and were using the highway as a socialising space, sitting using portable chairs and tables, either next to vans or on the opposite footway. This interferes with the right of other highway users to enjoy the use of the highway.
- 4.14 The local neighbourhood policing team have received recent complaints concerning people camping in tents on the grassed areas adjacent to the parking on Royal Albert Drive. The complaints have centred around anti-social behaviour, having campfires and barbeques, leaving litter, and defecating on the grass. It appears that some of the camping may relate to those staying overnight in the motor caravans.

5.0 THE PROPOSALS

- 5.1 It is proposed to introduce an Experimental TRO to prohibit the overnight parking of motor caravans between the hours of 11pm and 7am, all year round at the locations in Table 2. Daytime parking between the hours of 7am and 11pm would be unaffected. By restricting the vehicles from parking overnight, the majority of the adverse impacts would be removed or greatly reduced, and a more frequent turn-over of parking spaces is achieved.

Table 2:

Proposed locations of ETRO; Overnight prohibition of motor caravan parking, 11pm – 7am, all year round	Reasons
A174 Sandsend to Raithwaite	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.
Royal Albert Drive, Scarborough	
Osgodby Hill and Filey Road, Cayton Bay	For preserving or improving the amenities of the area through which the road runs

- 5.2 Officers' analysis concerning the appropriateness of these two reasons is discussed in the extended Statement of Reasons (Appendix J).

6.0 CONSULTATION UNDERTAKEN

- 6.1 As the Experiment is an area-wide TRO, the Scarborough and Whitby Area Constituency Committee (ACC) will be a consultee. All members of the ACC have been updated regularly about the formation of these proposals and were aware of their development.
- 6.2 There has been informal engagement with the ACC at their members briefing on 11 July 2024. As the meeting was informal, no formal response was issued. However, the proposals were welcomed by the members present at the meeting, with particular comment being made that some of the sites listed in Appendix C needed to also be taken forward at the earliest opportunity.
- 6.3 A report will be taken to the next timetabled public meeting of the ACC on 03 October 2024. At that time, should the Experimental order have been approved, it will have been running for 2 or 3 weeks and it will be an opportune time to seek the views of the ACC again. The ACC will also be consulted at a timetabled public meeting before any decision-making process at the end of the experiment.
- 6.4 The proposals fall within the following members' divisions:
- Cllr Chance (Sandsend)
 - Cllr Broadbent (Royal Albert Drive)
 - Cllr Swiers (Cayton Bay)
- 6.5 Cllr Chance has requested that officers give consideration to marking out individual parking bays at Sandsend., See section 7 'Alternative Options Considered' below.

7.0 ALTERNATIVE OPTIONS CONSIDERED

Mark individual parking bays at Sandsend.

- 7.1 There have been calls for individual bay markings to be marked at Sandsend, so that longer vehicles have to buy more than one ticket in the daytime, as is the case at Royal Albert Drive.
- 7.2 It is not commonplace for individual bay markings to be marked for on-street parking bays, the exceptions are Royal Albert Drive/Marine Drive in Scarborough. Marine Drive is not part of the publicly maintained highway and is regulated as an off-street car park, necessitating individual bay markings. It is likely that bays were marked out on Royal Albert Drive (publicly maintained highway) because it is immediately adjacent the marked bays on Marine Drive.
- 7.3 Marking individual bays at Sandsend would generally limit the numbers of vehicles able to park, as generally more vehicles can fit along a length of continuous bay than if the bays were broken up into shorter, individual bays. However, given the strength of feeling around this issue, and the fact that Sandsend attracts a disproportionate number of large vehicles including motor caravans, officers will look into whether this is a viable option.

Charge for overnight parking

- 7.4 This has been considered as an option, but it is not currently proposed to introduce overnight charging for motor caravans. The concerns and issues with overnight parking would not be alleviated by this proposal and could result in exacerbating the existing adverse impacts on amenity.
- 7.5 There are many campsites available in the local area and the highway authority does not wish to compete with or harm these local businesses.

- 7.6 Given the fire safety issues, overnight provision for motor caravans on the highway could only be made if parking in the 3 bays either side of a motor caravan were prohibited. It is not possible to regulate or enforce this.
- 7.7 Even if the loss of amenity issues could be overcome, there would need to be a review of parking policy before setting any fee. A comprehensive council-wide review of on-street and off-street parking is planned but the outcome of this review is some time away. Given the ongoing issues being experienced, it is therefore necessary to take action now rather than await the outcome of the county wide review.

Allow some overnight parking of motor caravans on the highway or elsewhere off the highway

- 7.8 It is not currently proposed to cater for overnight parking of motor caravans on the highway as to do so would exacerbate the existing concerns around loss of amenity.
- 7.9 Any overnight provision/charges aimed at motor caravans would need to be considered by a county-wide parking review. This will examine off-street council car parks and on-street parking, and should be carried out in collaboration with Tourism and Leisure Services, in order to examine whether or not the council should consider providing specific alternatives for the overnight parking of motor caravans.

8.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

- 8.1 Parking, highways, police, fire and community safety teams are all regularly receiving complaints about this issue which has added to their workload over the last few years.

9.0 FINANCIAL IMPLICATIONS

- 9.1 The cost of advertising the Traffic Regulation Orders and erecting the signs would be in the region of £4,000. The cost of this would be met from the council's local highways office Signs and Lines budget.

10.0 LEGAL IMPLICATIONS

- 10.1 The maintenance of highways, promotion of road safety and the management of traffic are statutory duties for the Council.
- 10.2 The Council has a statutory duty to communicate and consult specific customers for highway improvement schemes where the Council intends to implement TROs (restricting access, waiting or parking) under the Road Traffic Regulation Act 1984 (RTRA 1984).
- 10.3 The Council is seeking to make an Experimental Traffic Regulation Order pursuant to Sections 9 and 10 of the RTRA 1984, which allows a traffic authority to make a Traffic Regulation Order where it appears expedient to make it "for preventing the likelihood of any such danger (to persons or other traffic using the road to which the order relates or any other road) arising" and "for preserving or improving the amenities of the area through which the road runs", this being the legal basis of proposing to make the Order.
- 10.4 Section 2(1) of the RTRA 1984 enables a Traffic Regulation Order to make any provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by vehicular traffic, or by vehicular traffic of any class specified in the Order.

- 10.5 Section 122 of the RTRA 1984 confers a duty upon local authorities to exercise the functions contained therein 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, having regard to (inter alia) the effect on the amenities of any locality affected.
- 10.6 The Council has carefully considered the balance required to be struck by Section 122 of the RTRA 1984 and is of the view that an experimental traffic regulation order would be an appropriate measure to seek a balance between the provision of suitable and adequate parking facilities and the effect on the amenities of the locality affected.
- 10.7 There is other legislation that can be used to address some of the amenity issues that are experienced, which are as follows: -
- The Environmental Protection Act 1990, Section 88 allows the Council to issue fixed penalty notices for leaving litter. In addition, under Section 88A the keeper of a vehicle may be required to pay a fixed penalty where there is reason to believe that a littering offence has been committed in respect of the vehicle.
 - The Criminal Justice and Public Order Act 1994, Section 77 allows the Council to direct unauthorised campers to leave any land forming part of a highway.
 - The Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 allows the Council to evoke a public spaces protection order which prohibits specified things being done in the restricted area and requires specified things to be done by persons carrying on specified activities in that area or does both of those things for a period of up to three years.
- 10.8 The Council considers that the non-highways legislation cannot adequately address the interconnecting and cumulative nature of the issues experienced due to the duration of stay of motor caravans and their proliferation in particular locations and because, except for the public protection order, it is only designed to address some of the specific issues.
- 10.9 Whilst a public spaces protection order may have a similar effect, it would require renewal after three years, therefore in the longer term it would not be as suitable as a traffic regulation order as the problem has previously proven to be a continuing permanent issue which would recur without further legislation. If such an order were to be directed against overnight camping on the highway, it may prove difficult to enforce, given the difficulty in ascertaining whether a vehicle parked overnight on the highway was in fact being camped in overnight.
- 10.10 An ETRO is being proposed at this stage so that the effect of the ETRO can be monitored and feedback can be sought and considered. This is a proportionate measure, and the Council has given proper consideration to its statutory duties in making the order.

11.0 EQUALITIES IMPLICATIONS

- 11.1 Consideration has been given to the potential for any equality impacts arising from the recommendation.
- 11.2 It is the view of officers that the recommendation, given that parking between the hours of 7am and 11pm is unaffected, does not have a significant adverse impact on any people who have the protected characteristics identified in the Equalities Act 2010. A copy of the Equalities Impact Assessment screening form is attached as Appendix K. Equalities issues will be monitored and kept under review once the ETRO is in place.

12.0 CLIMATE CHANGE IMPLICATIONS

- 12.1 Consideration has been given to the potential for any climate change impacts arising from the recommendation and a Climate Change Impact Assessment screening form has been completed and is included as Appendix L. It is the view of officers that this recommendation does not have a significant adverse impact on any climate change factors.

13.0 RISK MANAGEMENT IMPLICATIONS

- 13.1 Comment from North Yorkshire Fire and Rescue Service indicates that whilst the motor caravans parking on seaside streets are not on an authorised campsite, the standards for authorised and informal campsites are that vehicles must park 6 metres apart, whether parked side by side or end to end, with no other vehicles or awnings within the 6-metre space, as this prevents the spread of fire.
- 13.2 Model Standards for touring sites, under the Caravan sites and Control of Development Act, 1960 Section 5 is shown at Appendix M.
- 13.3 The Fire Authority has received a number of complaints and attended incidents on the Marine Drive / Royal Albert Drive and has concerns with regard to fire spread. Most vehicles will have Liquefied Petroleum Gas on board. At night, the occupants of motor caravans are more at risk as they are likely to be sleeping, but the risk is present at all times.
- 13.4 The North Yorkshire Fire and Rescue Service website www.northyorksfire.gov.uk gives the following fire safety advice:
'Always ensure caravans and tents are at least six metres apart and away from parked cars, to reduce the risk of fire spreading.'
- 13.5 The Caravan and Motorhome Club website www.caravanclub.co.uk gives similar fire safety advice:
'To prevent the spread of fire on site caravans should be placed with at least six metres between caravan walls and at least three metres clear between associated equipment (eg. car, awning) and the adjacent caravan. On Caravan and Motorhome Club sites, pitches are always spaced out according to fire regulations for caravan sites but on Certificated Locations and rally fields, it is often up to you to ensure you are properly spaced.'

14.0 CONCLUSIONS

- 14.1 The Council has carefully considered the balance required to be struck by Section 122 of the RTRA 1984 and is of the view that an experimental traffic regulation order would be an appropriate measure to seek a balance between the provision of suitable and adequate parking facilities and the effect on the amenities of the locality affected.
- 14.2 Following a nine-year period with no overnight parking restrictions for motor caravans, it is demonstrated that the volume of motor caravans currently seeking access to these streets for this purpose has for some time been at a level that unacceptably detracts from the amenities of the streets for other highway users. These locations are promoted on several "Wild Camping" websites and Facebook groups. The detriment to amenity, together with the fire risk, are significant considerations in making the proposed ETRO.

15.0 REASONS FOR RECOMMENDATIONS

- 15.1 The proposals seek to address the longstanding issues of detriment of amenity arising from the overnight parking of motor caravans at the three locations.
- 15.2 An ETRO will allow the restriction to be trialled in a "live" situation for up to 18 months, with the consultation period running alongside the trial for the first 6 months.

15.3 The proposals are supported by the local members for each location.

15.4 The proposals seek to reduce the risk of fire spreading at night. The proposals are supported by the local Fire Authority and Community Safety.

16.0 RECOMMENDATION(S)

- i) That the Corporate Director Environment in consultation with the Executive Member for Highways and Transportation approve the making of an ETRO as described in section 5.0.
- ii) That the Corporate Director Environment be authorised to make minor changes within the first 6 months of the ETRO.
- iii) In line with the procedure for ETROs, before the expiration of 18 months a further report is brought, in order for a decision to be made on whether to make the Order permanent, amend it or remove it.
- iv) As described in section 7.0, officers consider marking the long parking bays at Sandsend as individual bays and, if appropriate, change the markings prior to the start of the 2025 summer tourism season.

APPENDICES:

Appendix A – 31 July 2015 report to North Yorkshire County Council Executive Members, Proposed 11pm – 7am prohibition of motor caravans, various seaside streets, Scarborough Borough

Appendix B – 31 July 2015 decision record BES 11/15

Appendix C – Other locations not considered by this report

Appendix D – Location plans

Appendix E – Example complaints and officer comment

Appendix F – Example social media posts

Appendix G – Parking survey photographs

Appendix H – Parking survey data summary

Appendix I – Photographs 20 July 2024 Royal Albert Drive

Appendix J – Statement of Reasons

Appendix K – Equalities screening form

Appendix L – Climate Change Impact Assessment

Appendix M – Model Standards for Touring Sites

Barrie Mason

Assistant Director - Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

County Hall, Northallerton

26 July 2024

Report Author – Helen Watson, Improvement Manager Highways Area 3

Presenters of Report – Richard Marr, Area Manager, Highways Areas 3 and 4, Helen Watson, Improvement Manager Highways Area 3

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

North Yorkshire County Council**Business and Environmental Services****Executive Members****31 July 2015****Proposed 11pm – 7am prohibition of motor-caravans, various seaside streets,
Scarborough Borough****Report of the Assistant Director – Highways and Transportation****1.0 Purpose of Report**

- 1.1 To seek the approval of the Corporate Director Business and Environmental Services (BES) in consultation with the BES Executive Members and taking into consideration the comments of the Yorkshire Coast and Moors Area Committee to introduce a permanent traffic regulation order prohibiting the overnight parking of motor caravans in certain sea front streets in the Borough of Scarborough between the hours of 11pm and 7am

2.0 Background

- 2.1 The proposals in the report seek to address a long standing issue in the towns in Scarborough Borough, concerning the proliferation of motor-caravans accessing the Borough's sea front streets for the purposes of overnight parking.
- 2.2 Due to the growing interest in motor-caravanning, residents and regular users of the highway in attractive and popular sea front locations in Scarborough Borough increasingly experience amenity loss, associated with the overnight waiting of motor-caravans.
- 2.3 An extended description of the amenities which are considered to be affected by motor caravans is included in the Statement of Reasons (Appendix A).
- 2.4 The streets that are considered to be most heavily affected, due to their position at the sea front, which are consequently the focus of this report are as follows, and plans of the locations are included as Appendix B:
- Filey Road, Osgodby Hill, Cayton Bay
 - The Beach, Crescent Hill, The Crescent, Filey,
 - Sandsend Road, The Parade (A174 Lythe Bank) Sandsend
 - North Promenade, East Terrace, Royal Crescent, Love Lane, North Terrace, Church Street, Whitby
 - Royal Albert Drive, Sandside, Foreshore Road, Esplanade, Scarborough.
- 2.5 Prior to April 2011 Scarborough Borough Council held responsibility for the publicly maintainable highway in the Scarborough Town area, as agents to the County Council, and attempted in a committee report in 2009 to ameliorate issues with motor-caravans in various "honeypot" locations in the town.
- 2.6 The report contained various measures for on-street parking and also measures involving the restriction of motor-caravans from its off-street car parking facilities (which the borough council remains responsible for) and was presented to its

committee on 15 May 2009. The recommendations of the report were agreed and implemented by the Borough Council.

- 2.7 Part of the result of the 2009 committee report was the erection of “no overnight camping” signs at various affected on-street locations in Scarborough Town.
- 2.8 The Borough Council 2009 report identified that there was no legislation or signage available, that allowed any enforceable restriction on a specific category of vehicle at a location, unless Department for Transport approval was sought and granted. Although it was intended, there is no record of this approval being sought or granted. Consequently the “no overnight camping” signs were unenforceable. Furthermore these signs are now superseded by a more appropriate new traffic sign which was authorised by the Department for Transport on 5 March 2012, described below.
- 2.9 Other examples of historic unenforceable signage, concerning the prohibition of camping, have also been identified in the last couple of years, at locations which have always been under immediate County Council jurisdiction in the wider borough.
- 2.10 During 2014 all unenforceable signage that had been identified was removed from all locations across the borough by North Yorkshire County Council, following complaints by individuals from the motor-caravanning community. Nevertheless the existence of such signage demonstrates the long-standing problems surrounding the practice and several recent complaints have been received from residents since the signs have been removed.
- 2.11 In 2012 the constituency MP Robert Goodwill raised the problems associated with the overnight on-street parking of motor-caravans, on behalf of residents, with the Department for Transport. A letter was received by him, in reply, from MP Norman Baker, the minister responsible for the issue at that time.
- 2.12 A copy of the letter was subsequently shared with North Yorkshire County Council for information. The letter informed that on 5 March 2012 the Department for Transport had issued an authorisation of traffic signs and special directions (GT50/113/0008) in respect of appropriate sites on roads for which the Council is the traffic authority, accompanied by a set of drawings (GT50/113/0008-1) of signs, one of which (authorised sign R) specifically shows a prohibition on the waiting of motor caravans during specified hours.
- 2.13 The definition of motor-caravans used is the EU definition as follows:
A “Motor Caravan” is a vehicle of Category M: (Motor vehicles with at least four wheels designed and constructed for the carriage of passengers.) with living accommodation space which contains the following equipment as a minimum:
- (a) seats and table;
 - (b) sleeping accommodation which may be converted from the seats;
 - (c) cooking facilities;
 - (d) storage facilities

The definition is contained within European Directive 2007/46/EC.

- 2.14 Following the approval of the signage, on 28 June 2012, the County Council applied a temporary order to prohibit overnight parking of motor-caravans between 11pm and 7am, utilising the above-described prescribed signage, and EU definition, to the affected streets, listed in paragraph 2.4. except The Parade Sandsend, which was not included in the temporary orders.

- 2.15 By restricting the vehicles from parking overnight, the majority of the associated issues are removed, and a more frequent turn-over in spaces is ensured.
- 2.16 The temporary order was implemented in order to ensure that the practice was immediately prohibited, due to the strength of feeling reported by residents through the local members and the length of time which had already passed where a workable solution to the problem had been sought.
- 2.17 The legal statement of reasons used in support of the temporary order were for environmental reasons (See paragraph 9.5 below) to aid in the prevention of occupants of motor caravans depositing waste onto the highway and this is one of the reasons for the order which causes residents and councillors most concern.
- 2.18 Whilst the original intention was to open consultation on a permanent order during the period that the original temporary order was in operation, regrettably the workload of the local highways office at this time was such that this did not take place.
- 2.19 It was consequently necessary to follow the original temporary order with a second temporary order, which came into effect on 13 January 2014, to allow the restriction to remain and to allow the time needed to advertise the permanent proposals and undertake the associated consultation. The second temporary order expired on 22 July 2015.
- 2.20 The legal reasons which may be used for pursuing a temporary traffic regulation order are different to those which may be used to make a permanent traffic regulation order. The reasons subsequently used for the permanent order expand and elaborate on those cited by the temporary order and are for preserving or improving the amenities of the area through which the road runs. The statement of reasons for making the proposed permanent order is included as Appendix A.
- 2.21 There have been two consultation periods associated with the proposals, one in May to August 2014 and one in January 2015.

3.0 Consultation 1 (May/August 2014)

- 3.1 The first advertisement and associated consultation regarding the proposed permanent order began on 30 May 2014 with a closing date originally of 10 July. The period of the consultation was extended until 1 August to allow further comments to be received.
- 3.2 Copies of plans, and a questionnaire were posted to all statutory consultees, and affected frontages. On-street notices were placed on the affected streets and in the local press. The questionnaire was available for downloading on the County Council's website. Copies of the original letter and questionnaire are included as Appendix C.

4.0 Outcome of Consultation 1

4.1 Statutory responses

- 4.1.1 Whitby Town Council replied in support of the order, and in disagreement with the proposed exemption for blue badge holders and residents owning motor caravans. Whitby Town Council made the further comments that the order should be extended to various other Whitby locations (Caedmon Avenue, Mulgrave Close and Mulgrave Crescent), and that the order required adequate enforcement to be successful.

- 4.1.2 It is not considered that the streets proposed by Whitby Town Council experience quite the same proliferation of overnight motor caravan parking than those the proposals concern.
- 4.1.3 A response was received from Scarborough Borough Council Parking Services expressing support for the proposals, and expressing the view that the highway is not an appropriate location for overnight occupancy, and that the use of official camp sites should be encouraged.
- 4.1.4 Councillor Broadbent wrote to request an extension of the proposals to cover the Southern End of Osgodby Hill in Cayton. Whilst this is not considered to be a location experiencing the same proliferation of motor caravan parking, the locations would continue to be monitored following any implementation of the proposals.

4.2 Responses to the questionnaire

- 4.2.1 130 responses to the original consultation were received, 100(76%) questionnaires were returned and 30(24%) letters or emails to the County Council were received. Copies of the responses are available at the Area 3 Highways Office for members' perusal if required.
- 4.2.2 **Response to question ascertaining views on the introduction of an order that prohibits motor-caravans from parking on the highway any day from 11pm until 7am received on questionnaire**

Question	Yes	No
Do you support the introduction of a traffic regulation order that prohibits motor-caravans from parking on the highway any day from 11pm until 7am?	93	7

- 4.2.3 During the first consultation 93% of those responding via the questionnaire expressed support for the measures.
- 4.2.4 It should be acknowledged that during the first consultation, the questionnaire was only delivered to residents and whilst the order was advertised as required it was not advertised in any periodical associated with motor caravanning. Consequently, it can be assumed with some confidence that the majority of those responding during the first consultation period were residents.
- 4.2.5 There were a further 30 emails and letters to the Area 3 email address objecting to the proposal, but not expressing an opinion on the exemption for blue badge holders or residents.
- 4.2.6 All letters are available at members' request, at the area 3 office.
- 4.2.7 Many of the residents responding in support of the proposals also included anecdotal evidence of the detrimental impact on the local amenity detailed in the statement of reasons.

4.2.8 The “themes” of comments received, and the number of people giving these comments are as follows:

Concern	Number of respondents highlighting this issue
Litter disposal concerns associated with motor-caravans (litter bin overuse and litter cropping on street)	9
Disposal of waste concerns associated with motor-caravans (anecdotal use of public toilets/drains/street for chemical waste)	7
Obstruction to footway caused by motor-caravan steps/gas canisters/camping paraphernalia	3
Urinating in public spaces/other defecating	2
Aesthetic concerns (size of vehicle/view/gives bad impression of town)	17
Motor-caravans block light to properties	3
Motor-caravan owners do not contribute to local economy/take from local economy by using amenities paid for by tax payers	10
Proposals should cover more streets. (Southdene Filey and Osgodby Hill Cayton mentioned)	6
There should be better enforcement of the (temporary) order	6
ASB concerns (associated with camping activities/cooking/cleaning/washing in motor-caravans)	8
Parking concerns (motor-caravans cause problems for parking)	9

4.2.9 Much of the anecdotal evidence presents a picture of life in the affected streets which many people would find difficult to tolerate. Most shocking comments concern the emptying of chemical waste over cliffs, defecating in public areas in the streets, and reports of a resident counting 37 motor-caravans parking for significant periods on North Promenade in Whitby during one weekend.

4.3 Responses to question ascertaining views on an exemption for blue badge holders visiting in motor-caravans received on questionnaire

Question	Yes	No
Would you support an exemption from the above order for anyone displaying a blue badge in a motor-caravan?	11	89

4.3.1 89% of those responding did not agree with an exemption to the order for those displaying a blue badge.

4.3.2 This is corroborated by the views of the Ryedale and Scarborough Physical and Sensory Impairment Group, which was approached for its opinion during consultation 2 as discussed later in the report.

4.4 Responses to question ascertaining views on an exemption for residents of the streets owning motor-caravans received on questionnaire

Question	Yes	No
Would you support an exemption for residents that own a motor-caravan and live on any of the streets directly affected by the order?	16	84

4.4.1 84% of people did not agree with an exemption for residents who also owned motor-caravans.

- 4.4.2 There were 8 responses from people who are resident in the affected streets and also own motor-caravans, requesting an exemption in the form of a permit to allow them to park nearer to their property.
- 4.4.3 During Consultation 1 a comment was received that the statement of reasons that had been given in the advertisement, (which was the legal reason under which the order was proposed to be made) was not adequate in detail to allow meaningful comment and that the proposals had not been advertised in a publication serving the motor-caravanning community.
- 4.4.4 The reason given was for preserving or improving the amenities of the area through which the road runs, as explained in paragraph 2.20
- 4.4.5 Consultation 1 was advertised utilising the standard procedure for Traffic Regulation Orders, in that it was advertised in publications covering the local areas, and advertised in on-street notices on the affected roads. In addition to this, the consultation was publicised on the Council's website. This was originally considered satisfactory to advertise the order to those highway users "affected" by the order, in that they regularly use the street.
- 4.4.6 Furthermore, Consultation 1 was undertaken during the summer months, in order to allow comment from a cross section of motor-caravan users at peak times.
- 4.4.7 In the interests of undertaking a robust consultation, it was however conceded that advertisement in a national publication would allow a larger proportion of those who are affected by the order, in that they have an interest in motor-caravanning to also give comment. Consequently the Council committed to a further period of advertisement, with an extended explanation of the statement of reasons and advertisement in the Motor Caravanning Monthly, a national publication which was suggested by the respondent in question.

5.0 Consultation 2

- 5.1 A request was received by Lythe Parish Council that it wished for "The Parade" (A174 Lythe Bank) to be included in the consultation as it was a sea-front location, experiencing all the same issues and also a displacement from motor-caravans which would previously have parked in the A174 Sandsend to Raithwaite parking area, covered by the temporary order. The location was duly included in the proposals prior to the second consultation.
- 5.2 In the period between the first and second consultations an Equalities Impact Assessment (EIA) was completed. As a consequence of some of the considerations of the EIA the questions asked during the second consultation were slightly different, in that questions sought to understand the interest group of which the respondent was part, to allow a deeper analysis of responses. The second consultation did not seek views on the possibility of an exemption for residents, as this is not affecting a protected characteristic. A "free text" section was provided for any comments and a copy of the questions asked in the second consultation is included in Appendix D.
- 5.3 The volume of responses during the initial advertisement was higher than expected, and the amount of documentation, including the extended statement of reasons and plans which respondents may have desired to view was significant. The second questionnaire was consequently placed on the County Council's website, with the website address advertised in the appropriate publications and meant all the associated documentation could be viewed online.

- 5.4 The second advertisement period commenced on 5 February 2015 and the proposals also were advertised on street, in local publications and were published in the Motor-caravanning monthly.
- 5.5 The extended statement of reasons was included on the County Council's website pages regarding the consultation, and was placed on deposit at all locations utilised. This is included as Appendix A.
- 5.6 All properties fronting the affected streets received letters, informing them of the consultation period and how to respond, however residents were informed that if they had already taken the trouble to give their comments during the first consultation, that these would still be presented to those taking the decision on the proposals, and consequently a smaller number of responses was expected from residents.
- 5.7 Responses were received through the online questionnaire, and further emails and letters were received directly by the area office during the second consultation period.

6.0 Response to Consultation 2

6.1 Statutory consultees

- 6.1.1 The Scarborough and Ryedale Physical and Sensory Advisory group was visited to ascertain its opinion on the proposals as the Equalities Impact Assessment undertaken suggested that the proposals may have negative consequences for disabled people and it was felt useful to explore this.
- 6.1.2 The group felt that there was no positive discrimination against disabled people, as the order restricted a category of vehicle and didn't prevent access.
- 6.1.3 As the exemption offered by a blue badge is 3 hours, and the prohibition is between 11pm and 7am the group felt that that an exemption for blue badge holders would not be of any tangible benefit.
- 6.1.4 Whitby Town Council wrote to re-affirm the comments it had given in response to Consultation 1.
- 6.1.5 The Caravan Club wrote in to express its "support (for) the general principle behind preventing what (it) terms as 'wild camping', i.e. motorhomes using such areas as overnight camp sites". The Caravan Club operates a site at West Ayton near Scarborough, which is popular with its motorhome owning members.
- 6.1.6 The Caravan Club requested however that consideration be given to amending the hours of prohibition from midnight to 6am to facilitate those who may wish to just park for the purposes of visiting local attractions.
- 6.1.7 As there are many other streets within the towns that would not be affected by the proposals it is not considered that such access is restricted by the proposed timings.
- 6.1.8 There were no other responses received from statutory consultees.

6.2 Consultation 2 – other responses

6.2.1 There was a total of 603 responses to the consultation. 572(94.8%) respondents completed the on-line questionnaires, 7 (1.1%) respondents wrote letters and 24 (3.9%) email responses were received.

6.2.2 The responses given by those responding to the on-line questionnaire to the questions asked during the second consultation are recorded in table 1.

Q1. Which of the following statements apply to you?	
Total number of responses to question 1	567 100.00%
I am a local resident	116 20.50%
I am a motor caravan owner	445 78.50%
I am responding to this consultation in another capacity	47 8.30%

Q4. Do you agree or disagree with the introduction of a traffic regulation order that prohibits motor caravans from parking on the highway between the hours of 11pm and 7am?	
Total number of responses to question 4	572 100.00%
I agree	89 15.60%
I disagree	483 84.40%

Q5. Do you agree or disagree with an exemption of three hours for motor caravans parking and displaying a blue badge between the hours of 11pm and 7am?	
Total number of responses to question 5	571 100.00%
I agree	149 26.10%
I disagree	422 73.90%

Table 1: Responses to on-line question asked during consultation 2.

6.2.3 483 (73.9%) of those responding to the on-line questionnaire objected to the measures.

6.2.4 445 (78%) of all on-line respondents categorised themselves as a motor caravan owner and 116 (20%) of all on-line respondents categorised themselves as local residents.

6.2.5 Table 2 contains the proportion of answers to the questions, when breaking down the analysis by interest group. The total “base” figures in table 2 are slightly lower than those displayed in table one, because 9 people preferred not to answer the question regarding their interest (i.e. are you responding as a resident/motor-caravan owner/or in another capacity).

1. Do you agree or disagree with the introduction of a traffic regulation order that prohibits motor caravans from parking on the highway between the hours of 11pm and 7am?

	Total	I am a local resident	I am a motor caravan owner	I am responding to this consultation in another capacity
Base	563	116	441	47
I agree	89 15.80%	57 49.10%	32 7.30%	5 10.60%
I disagree	474 84.20%	59 50.90%	409 92.70%	42 89.40%

2. Do you agree or disagree with an exemption of three hours for motor caravans parking and displaying a blue badge between the hours of 11pm and 7am?

	Total	I am a local resident	I am a motor caravan owner	I am responding to this consultation in another capacity
Base	562	116	440	47
I agree	149 26.50%	31 26.70%	119 27.00%	14 29.80%
I disagree	413 73.50%	85 73.30%	321 73.00%	33 70.20%

Table 2: Analysis of the on-line responses represented by interest group

- 6.2.6 During the second consultation 57 (49.1%) of local residents responding using the on-line questionnaire agreed with the proposals, whereas 59 (50.9%) of residents disagreed with the proposals. This is in stark contrast to the first consultation period which showed 93% of those responding to the posted out consultation being in support of the measures.
- 6.2.7 Of the 441 motor caravan owners responding using the on-line questionnaire, 409 (92%) did not agree with the order whilst 32 (7.3%) of motor-caravan owners responding agreed with the proposals.
- 6.2.8 Analysis of these results and reaching a recommendation is clearly made more difficult by the differences in the results of the two separate consultation periods.

- 6.2.9 During the first consultation period, where respondents were issued with a paper questionnaire to return, overwhelming support for the proposals was received.
- 6.2.10 During the second consultation period, it was expected that there would be a much larger response from motor-caravan owners from outside of the local area as the proposals were advertised in the motor-caravanning monthly, which is a national publication and has a readership higher than the number of residents in the locations affected. However it has to be noted that over 50% of those responding as residents similarly did not support the measures during the second consultation.
- 6.2.11 Table 3 demonstrates the responses given by those responding using the on-line questionnaire in answer to the question regarding the possibility of an exemption for blue badge holders.

Q2 Do you agree or disagree with an exemption of three hours for motor caravans parking and displaying a blue badge between the hours of 11pm and 7am?

Base	571 100.00%
I agree	149 26.10%
I disagree	422 73.90%

Table 3: Responses to the question regarding an exemption for blue badge holders

- 6.2.12 422 (73%) of those responding were not in support of an exemption, which is similar to the results of consultation one, and in corroboration with the comments given by The Scarborough and Ryedale Physical and Sensory Impairment Group.
- 6.2.13 98 (17%) of those responding considered themselves to be a disabled person or to have a long-term, limiting condition. Of those people, 34 (34%) agreed with the exemption and 64 (65.3%) did not agree with the exemption.

7.0 Officer Comment on Specific Consultation Issues Where Amendments are Suggested / Clarification Required

- 7.1 Responses via all methods of communication for both consultations have been analysed and various “themes” have been identified from the comments people have made.
- 7.2 All main themes identified are recorded in table 4, along with the number of respondents making this comment and officer comment.
- 7.3 Those comments given that can be addressed by minor amendments to the order are also discussed below in table 4. All other comments and an officer response to them are included in Appendix E.

Table 4, Main themes raised during Consultation 1 and 2, through all means of communication

Theme/number of people making comment	Action necessary to resolve	Officer comment	Officer recommendation
1. "The order is discriminatory against a class of vehicle user" (103)	To not proceed with the proposals or to prohibit overnight parking by all categories of vehicles would resolve this issue	<p>As the order was advertised nationally many respondents are seeking to object to the principle of a prohibition of motor-caravans, as a category of vehicle, rather than necessarily being immediately affected by the proposals in the locations themselves. By nature the order does prohibit a category of vehicle, however the prohibition of a particular category of vehicle is permitted by the department for transport, and DfT signage is approved.</p> <p>A full Equalities Impact Assessment was undertaken prior to the second consultation period and owning a motor-caravan is not a protected characteristic.</p> <p>The interlinking problems associated with the amenities in the locations are associated with motor caravans, which are large in size and contain facilities available for camping. The number of motor-caravans visiting the borough is increasing as the popularity of this type of holiday grows.</p> <p>Whilst motor-caravans are most welcome in the borough, the proposals are designed to balance the needs of motor-caravan owners to access the locations during the day, with the rights of residents and other highway users to peaceful enjoyment of their environment and property in locations which have in the past been heavily utilised by motor-caravans to the point where it impacts upon the quality of life of residents.</p> <p>There are many other streets in the towns which are not covered by the proposals which do not have the "draw" of the seafront location, which can still be utilised for overnight parking in the towns.</p> <p>To prohibit parking by all categories of vehicles is not considered to be proportionate or justified and would cause a large displacement of vehicles to other already over-subscribed areas of the sea side towns.</p>	To proceed with the order as advertised
2. The order will negatively affect the local economy (227)	Not proceed with the order	<p>The temporary order has been in place for approximately 3 years and there has been no noticeable deterioration in motor-caravans visiting the sea side towns. There have been no complaints from businesses regarding loss of trade whilst the temporary order has been in place.</p> <p>The order only covers a handful of streets in the borough, and any other unrestricted area of the highway remains available for overnight parking</p>	To proceed with the order as advertised

		Motor-caravans are very welcome in North Yorkshire and it is hoped that responsible motor-caravan owners will appreciate the issues that are being experienced in the heavily affected sea front streets to which the order refers.	
3. Comments disputing the statement of reasons or suggesting that there is no evidence that this is a problem (40)	Not proceed with the order	<p>All too often Councils have to act based on the anecdotal evidence of residents and those affected by a particular activity.</p> <p>Consequently, the democratic process ensures the Council consults prior to the introduction of any alterations, and that those taking decisions do so justifiably and proportionately.</p> <p>The anecdotal evidence offered by many residents during both recent consultations clearly supports the accuracy of the statement of reasons in detailing the amenities which are being affected.</p> <p>This is a long standing issue which in recent times has deteriorated due to the increase in the interest in motor-caravanning and over the years there have been a number of measures introduced by both the County Council and Scarborough Borough Council to attempt to reduce the issues identified in the statement of reasons and to afford residents and other highway users the same quality of life as in other locations.</p> <p>Prior to the temporary orders being made, residents were reporting issues to various council members who were working with Council Officers to investigate solutions to the issues. In 2012 complaints were taken by residents to the local constituency MP, which started the recent process.</p> <p>Notwithstanding the above residents' reports and recollections, it is quite clear that large motor caravans parking on the highway without the appropriate facilities to camp would cause an effect on the amenity of the location for its regular users and residents, as the highway does not contain the appropriate facilities to accommodate the needs of overnight camping and consequently a level of improvisation is required to facilitate this.</p>	To proceed with the order as advertised
4. There is other legislation available to deal with the problems detailed in the statement of reasons which	To not proceed with the order and attempt to use other legislative tools	<p>The proposed order essentially seeks to prohibit the overnight parking of motor caravans due to their effect on amenities in the locations. There is no other legislation which can be used to restrict this.</p> <p>Whilst there is other legislation in place to deal with some of the issues associated with motor-caravans, detailed in the legal implications section of the report, the transient nature of motor-caravan parking and its proliferation in the locations to which this report refers mean it cannot be utilised to meaningfully address the problems experienced. For example, environmental health legislation may address</p>	To proceed with the order as advertised

<p>should be used instead (5)</p>		<p>certain practices associated with depositing chemical and foul water into drainage systems, however it does not prevent this practice recurring with another perpetrator a week later.</p> <p>A public spaces protection order would allow a similar effect to the prohibition of overnight motor-caravans, it would require renewal after three years, and therefore would not be as suitable as the traffic regulation order as the problem has proven to be a permanent one which would recur without legislation, and a public protection order would therefore inevitably require renewal following the three year period. If such an order were to be directed against overnight camping on the highway, it might prove difficult to enforce, given the difficulty in ascertaining whether or not a vehicle parked overnight on the highway was in fact being camped in overnight.</p> <p>The Criminal Justice and Public Order Act 1994 – Section 77 allows the Council to move on those camping illegitimately on the highway This could not be used in most cases in the affected locations to prevent the situation on the affected streets due to the short duration of stay of most motor-caravans, however due to the proliferation of the practice, by many different vehicles the impact upon residents and regular highway users is similar to the problems which Section 77 of the Criminal Justice and Public Order Act is intended to protect against.</p> <p>The prohibition of motor caravans overnight is considered the most appropriate and proportionate response available, as overnight parking of such vehicles is the cause and therefore the resolution of the issue, due to the cumulative and interlinking effect of the issues associated specifically with motor-caravans and detailed in the statement of reasons.</p>	
<p>5. The overnight order doesn't address the amenity problems during the day (16)</p>	<p>To prohibit motor-caravans during the daytime hours instead of during the night To prohibit motor-caravans on a 24 hour basis</p>	<p>It is acknowledged that the sea-side view and aesthetic issues are also affected during the day. However the order wishes to seek a balance between allowing residents and other highway users enjoyment of their property and environment, and the needs of motor-caravan owners visiting the borough.</p> <p>Prior to the introduction of the temporary order, motor-caravans could be parked in the locations without being moved indefinitely.</p> <p>By restricting overnight parking by motor-caravans, it ensures a turnover in spaces. Those wishing to access the streets to stay for an "on-street holiday" can no longer do so, naturally reducing the number of motor-caravans seeking access to the locations and also removing some of the amenity issues associated with overnight camping in the vehicles.</p>	<p>To proceed with the order as advertised</p>

		Whilst it is acknowledged that to completely eradicate the problems detailed in the statement of reasons a 24 hour prohibition would be required, this would prevent access for those who are, for example, reliant on a motor caravan as their only mode of transport to the locations and the associated services during the day. It is therefore considered that the order offers the most appropriate compromise between the needs of the two affected groups.	
6. The Council needs to consider some form of provision along the lines of a French aire system, with facilities provided at nominal cost. Either on-street or off-street (181)	To provide facilities on the publicly maintainable highway which facilitate overnight camping	As the order only affects a small number of streets and consequently a small amount of the available on-street parking in the sea side towns it is not considered that the provision of facilities is required in association with the order, as the amount of unrestricted available on-street parking across the borough remains relatively unchanged. The provision of facilities for motor caravans in any on-street location is consequently a separate issue to this order and would need further work, consultation and consideration in order for the feasibility to be explored. Off-street car parks are the jurisdiction of Scarborough Borough Council, and the comments will be passed to its appropriate officers for consideration. There are also many off-street private facilities in the borough which may be utilised.	To proceed with the order as advertised
7. "I own a caravan and am a resident, I will be causing more problems by not parking outside my own property" (11)	A permit could be considered, allowing residents to be exempt from the restriction. To not proceed with the order	This has been raised by 5 residents and a question seeking views on an exemption for residents owning motor caravans was included in the first consultation period. The response to this was negative during the first consultation period, with 84% of respondents stating that they would not be in favour of such measures. Notwithstanding this, it is true that residents parking motor-caravans in the affected streets, where they have a good chance of parking outside their own property are primarily affecting their own amenity. If the motor caravan is not being used for overnight camping it also decreases the effect of the vehicle upon local amenities.	To proceed with the order as advertised, with an exemption in the form of a permit, for residents who also own a motor-caravan.
8. The sea front locations without residents (Sandsend – Raithwaite/Cayton Bay/North Marine Drive) should not	To not proceed with the order To not include the sea front streets which do not contain residential	The amount of highway users affected at Sandsend, Cayton and North Marine Road is significantly less than at the other locations. Locations without (or with very few) residents do not experience the same proportion of interlinking loss of amenities detailed in the extended statement of reasons as those with many residents.	To proceed with the order, with the removal of streets without significant numbers of

<p>be included as they do not have the same amenity loss (8)</p>	<p>properties in the order.</p>	<p>As the prohibition is overnight, other highway users are less likely to require access to the streets during the hours of restriction, and vehicles parked for a number of nights on the highway are less likely to cause issues for other visiting highway users. The restriction in these locations may prevent access for tide dependent activity such as fishing and surfing, where enthusiasts also regularly use motor-caravans as a means of providing the space for equipment and sleeping facilities. As their interests are tide dependent they may involve overnight stays.</p> <p>As there are few or no residents in the locations, the prohibition may have the unforeseen undesirable effect of displacing motor caravans to locations where more highway users and residents are affected. This has been the case with the temporary order, which did not include The Parade in Sandsend, (A174 Lythe Bank) and consequently the Parish Council reported that motor-caravans which presumably would previously have used the A174 Raithwaite to Sandsend stretch were now more regularly using The Parade (The Parade is a residential sea front street omitted from the temporary order). This is explained earlier in the report.</p> <p>Removing streets which don't have adjacent residential properties from the order would alleviate the problems. However, should the streets be removed from the order they may act as a "honeypot" for motor-caravanners seeking an unrestricted sea front location to camp in overnight, thereby increasing the loss of amenity for other highway users in the location to a more significant level.</p>	<p>properties, to be re-visited if this proves to be a problem.</p>
<p>9. Why should there be an exemption for disabled people? (5)/ The order discriminates against disabled people (10)</p>	<p>Provide a 3 hour exemption for blue badge holders Do not provide a 3 hour exemption for blue badge holders</p>	<p>Those with blue badge status are generally exempt from parking restrictions on the publicly maintainable highway for a three hour period, however as this order refers to a category of vehicle an exemption would be required if a similar arrangement was deemed to be appropriate which would give disabled people the access that may be required.</p> <p>As the order covers the time between 11pm and 7am however, it is questionable how appropriate an exemption would be.</p> <p>The equalities impact assessment highlighted that those with a disability would have the potential to be negatively affected by the order, and consequently an officer visited the Scarborough and Ryedale Physical and Sensory Impairment Group to collect its views.</p> <p>It was the opinion of the group that in the interests of being considered equal, and as the order related to a category of vehicle rather than access to a location, there was no need for an exemption for blue badge holders and they did not feel the order</p>	<p>Do not provide an exemption for blue badge holders</p>

		<p>discriminated against them or would cause a negative impact for those blue-badge holders with a motor-caravan.</p> <p>Notwithstanding this, there have also been comments raised from blue badge holders with motor-caravans who feel the order would discriminate against them, due to their requirements for the facilities offered by the motor-caravan due to their disability when visiting locations. These comments predominantly discuss day tripping and visiting the coast in the locations, yet requiring access to toilet facilities and the privacy afforded by the van. As the restriction would only be enforceable between the hours of 11pm and 7am, this ability would not be affected, and as previously explained, the usefulness of a 3 hour overnight exemption for blue badge holders is questionable.</p> <p>Furthermore if sea front spaces are not taken up by those camping in the location for a significant period the ability to gain closer access will be improved for those requiring it during the day.</p>	
10. Vehicle is roadworthy and taxed and insured and has equal right to be on the road in the locations as any other category of vehicle (52)		<p>the Department for Transport had issued an authorisation of traffic signs and special directions (GT50/113/0008) in respect of appropriate sites on roads for which the Council is the traffic authority, accompanied by a set of drawings (GT50/113/0008-1) of signs, one of which (authorised sign R) specifically shows a prohibition on the waiting of motor caravans during specified hours.</p> <p>2.13 The definition of motor-caravans used is the EU definition as follows: A "Motor Caravan" is a vehicle of Category M: (Motor vehicles with at least four wheels designed and constructed for the carriage of passengers.) with living accommodation space which contains the following equipment as a minimum: (a) seats and table; (b) sleeping accommodation which may be converted from the seats; (c) cooking facilities; (d) storage facilities</p> <p>The definition is contained within European Directive 2007/46/EC.</p>	Proceed with order as advertised
11. Misunderstanding the nature of the order/referring to it as a blanket ban all day restriction. (18)	n/a	<p>Comments have been received from respondents who have clearly misunderstood the proposals, as they refer to a blanket ban of motor caravans or all day restriction, which is not the case. Whilst they have not stated it, it is expected that a significant number of others have similarly misinterpreted the order, due to the volume of those responding stating that they feel "unwelcome" or will not return despite having holidayed here many times (approx. 100 people). This is suspected given that a temporary order has been in place for three years already and that the order only</p>	n/a

		covers a handful of streets between 11pm and 7am and does not remove any other rights of those in motor caravans to access the towns.	
12. The order will result in motor caravanning community avoiding North Yorkshire/the order is unwelcoming (73)	To not proceed with the order	<p>Motor caravans are very welcome in North Yorkshire and it is hoped that responsible motor caravan owners will appreciate the issues that are being experienced in the heavily affected sea front streets to which the order refers. 30 respondents who were motor caravan owners wrote to say that they agreed with the order as they found the practice of camping on the street overnight distasteful and that it was a small minority of the community who did this giving them all a bad reputation.</p> <p>Notwithstanding this, the order only restricts overnight parking in a small amount of heavily affected sea front streets and consequently motor caravans can still park in any other unrestricted area of the publicly maintainable highway. Further the order in the affected streets only covers the time between 11pm and 7am, to attempt to balance the requirements of those visiting the North Yorkshire coast in motor-caravans with the needs of residents and other regular highway users to the enjoyment and amenities of the affected roads.</p> <p>The temporary order has been in place for approximately 3 years and there has been no noticeable decline in motor caravans visiting the sea side towns.</p>	To proceed with the order as advertised
13. Disagree with order but think there should be a time limited restriction instead, i.e. 24 hours/48 hours (29)	Introduce time limited waiting for motor-caravans	Time limited waiting would ensure a turnover in parking spaces but would not remove the issues residents experience with the proliferation of motor-caravan overnight parking.	Proceed with order as advertised
14. Order should prohibit overnight camping not overnight parking (8)	Not proceed with order Re-advertise to seek views on prohibition of overnight camping	<p>The issues detailed in the statement of reasons are an interlinking combination of issues associated with overnight parking, those camping in the vehicle may cumulatively add to the issues experienced.</p> <p>Overnight camping is difficult to enforce, as it is hard to ascertain whether a vehicle on-street is being used for this purpose or not.</p> <p>Notwithstanding this, there is no available DfT approved signage to prohibit overnight camping so this is not an available option and furthermore does not tackle all the associated issues.</p>	Proceed with order as advertised

8.0 Comments gathered at the Yorkshire Coast and Moors Area Committee held on 23 July 2015

8.1 Questions from the public:

The letters and e-mails are attached to this report as Appendix G and the answers given at the meeting are detailed below:-

Letter from W Wilson-Haig:

- (i) What prompted the prohibition – The Area Manager, Richard Marr (RM) replied - This is answered in the report.
- (ii) The proposed prohibition is for 10pm-7am instead of the current 11pm-7am, why? – RM - This is an error, the proposal is for the same for the existing TTRO, that is 11pm – 7am.
- (iii) Has the Esplanade been monitored during the last year? – RM - No it has not, but we have not received any adverse comments about the Esplanade.

Letter from Mike Hepworth:

- (i) Can residents permits be issued to allow residents Motorhomes to be exempt from the prohibition? – RM – The provision of residents permits is a recommendation of the report.

E-mail from Andrew Strangeway

- (i) The Motorhome users will lose their legal right to an amenity, 24 hour parking – RM – Motorhome owners do not have a legal right to 24 hour parking.
- (ii) No sea view during the hours of darkness – RM – The term “loss of amenity” does not solely relate to the sea view. This matter is mentioned in the statement of reasons.
- (iii) No adjoining residential properties on Royal Albert Drive – RM – Royal Albert Drive is not going to be covered by the proposed Traffic Regulation Order.
- (iv) Penalty Charge can only be enforced if there is evidence that the Motorhome contains a table – Catriona Gatrell, Legal Manager (CG) – The Department for Transport has issued guidance over the description of a motor Caravan so they believe it is a class of vehicle.
- (v) Wednesday unreasonableness – CG – This relates to an Authority making a decision that was so absurd that no sensible person could ever dream that it lay within the powers of the authority.
- (vi) Leaving the existing signs uncovered amounted to fraud – RM – We have instructed the Parking Enforcement Officers not to issue tickets for the prohibition at the current time.

Comments from the Committee Members:

- (i) Cllr Broadbent – Campervans come and stay on roads near me. There are places for Campervans to go. One Campervan attracts others.
- (ii) Cllr Billing – A comment was made about there being no specific right to park on a highway, please confirm. – CG explained this was correct.
- (iii) Cllr Randerson – Surprised that some locations around the Cayton Bay, Osgoodby area had been missed off. Requested that the Corporate Director of Business and Environmental Services consider adding these to the Order. – This is dealt with in the report.
- (iv) Cllr Plant – Will not support Cllr Randerson’s amendment as every Member would want roads adding to the Order.
- (v) Cllr Cross – Issues over the description of a Motorhome having to contain a table. Plus he sees caravans parking in laybys all over, are they breaking the

law? – CG said it would be reasonable for a motorhome to contain a table, either fixed or removable, RM said the Authority recognises that overnight parking exists at numerous locations across the County. All these other locations are not the subject of this report.

- (vi) Cllr Randerson – What about those who park on grass verges? – RM acknowledged this can be a problem at some locations but each case needed to be assessed on its own merits as forcing a caravan to move may relocate it to a more problematical location.

9.0 Legal Implications

- 9.1 The County Council is seeking to make the Order pursuant to Section 1(1)(f) of the Road Traffic Regulation Act 1984 (RTRA 1984), which allows a traffic authority to make a Traffic Regulation Order where it appears expedient to make it “for preserving or improving the amenities of the area through which the road runs” – this is the legal basis of proposing to make the Order .
- 9.2 Section 2(1) of the RTRA 1984 enables a Traffic Regulation Order to make any provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by vehicular traffic, or by vehicular traffic of any class specified in the Order.
- 9.3 Section 122 of the 1984 Act also confers a duty on local authorities to exercise the functions contained on them by the Act 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, having regard to (inter alia) the effect on the amenities of any locality affected.
- 9.4 The County Council has carefully considered the balance required to be struck by Section 122 of the RTRA 1984 and is of the view that, in particular, the order strikes an appropriate balance between the provision of suitable and adequate parking facilities and the effect on the amenities of the locality affected.
- 9.5 There is other legislation that can be used to address some of the issues that are experienced, these are as follows:
- 9.6 Environmental Protection Act 1990 – Section 89, which imposes a duty on Scarborough Borough Council to keep (publicly maintainable) highways clear of litter and refuse – in connection with this duty, they can request NYCC to make a temporary road closure Order under Section 14 of the Road Traffic Regulation Act 1984.
- 9.7 Environmental Protection Act 1990 – Section 88, which allows Scarborough Borough Council to issue fixed penalty notices for leaving litter (N.B. Section 154 of the Anti-social behaviour, Crime and Policing Act 2014 has introduced the specific offence of littering from vehicles, although this has not yet come into force).
- 9.8 Criminal Justice and Public Order Act 1994 – Section 77 which allows North Yorkshire County Council and Scarborough Borough Council to direct unauthorised campers to leave any land forming part of a highway.
- 9.9 Anti-social Behaviour, Crime and Policing Act 2014 – Section 59 which allows Scarborough Borough Council to evoke a public spaces protection order which prohibits specified things being done in the restricted area, requires specified things

to be done by persons carrying on specified activities in that area, or does both of those things for a period of three years.

- 9.10 The non-highways legislation cannot adequately address the interconnecting and cumulative nature of the issues experienced due to the usual duration of stay of motor caravans, their proliferation in these locations and because excepting the public protection order, it is only designed to address some of the specific issues.
- 9.11 Whilst a public spaces protection order would allow a similar effect, it would require renewal after three years, and therefore would not be as suitable as the traffic regulation order as the problem has proven to be a permanent one which would recur without legislation, and a public protection order would therefore inevitably require renewal following the three year period. If such an order were to be directed against overnight camping on the highway, it might prove difficult to enforce, given the difficulty in ascertaining whether or not a vehicle parked overnight on the highway was in fact being camped in overnight.

10.0 Financial Implications

- 10.1 Scarborough Borough Council would be responsible for enforcement of the order as agents to the County Council under the Civil Parking Enforcement arrangements. As the prohibition is outside of normal working hours, occasional extra shifts would be requested of its Parking Services team if required on an ad-hoc basis at the direction and with the management of the borough council.
- 10.2 All signage is already in place as a consequence of the temporary order, and therefore there is no further capital expenditure involved to make this permanent.
- 10.3 Should the decision be taken to not proceed with the proposals, or to proceed with the removal of streets with no adjacent properties, some signage would need to be removed.

11.0 Equalities

- 11.1 An Equality Impact Assessment (EIA) was prepared for the proposals prior to the second consultation and the consultation questions asked were amended slightly to reflect the findings.
- 11.2 The equalities impact assessment is included in Appendix F
- 11.3 The EIA found that those with a disability may be negatively impacted by the proposals, if they owned a motor-caravan.
- 11.4 The prohibition operates between 2300 and 0700, however it has the effect of ensuring that motor-caravans are not left on the highway indefinitely, affecting the amenity of the locations and ensuring there is a turnover in parking spaces. Consequently disabled people requiring to park closer to the sea-side amenities will have a better chance of doing so between 0700 and 2300, as well as during the hours when motor-caravans are prohibited.
- 11.5 Those living in the affected streets with one or more protected characteristics should experience an improvement in the associated amenities in the street, as detailed in the statement of reasons.

- 11.6 The prohibition would have an effect on people with motor-caravans who also have a blue badge, in that a blue badge generally gives an exemption of up to three hours, but blue badge holders in motor caravans would not be permitted an exemption from the prohibition. The Scarborough and Ryedale Physical and Sensory Impairment Group was visited by an officer to ascertain its views and the group considered that the proposals did not disproportionately negatively affect disabled people and therefore they considered that a concession should not be given to blue badge holders.
- 11.7 There was found to be no negative impact on any other protected characteristic.
- 11.8 There was found to be no effect upon those living in a rural location or on a low income.
- 11.9 The Equalities Impact Assessment will be amended to reflect the comments made about New Age Travellers and be presented at the meeting, or earlier if available beforehand.

12.0 Other Considerations

- 12.1 Whilst the proposals do not have a specific effect on any protected characteristics, it does involve a disparity between the rights of those with motor-caravans to park on the publicly maintainable highway in the affected areas between the hours of 2300 and 0700 compared to the rights of those parking in other categories of vehicle.
- 12.2 This disparity is felt to be justified, because the combination of motor-caravans parking during these times and for long periods, the proliferation of motor-caravans in the affected areas and the use of the vehicle negatively impacts upon the amenities in the area, and consequently by removing the vehicles on a time-limited basis ensures any residents with the protected characteristics are positively impacted upon. It also positively impacts upon those with some protected characteristics wishing to park in the areas, as their access during the day is improved.
- 12.3 There is provision for those with motor-caravans to continue to park on the highway between the hours of 2300 and 0700 in unaffected streets, although it would be preferred that this was not undertaken in residential areas for the same reasons, or in private camping facilities, so it is not considered that there is any significant or unjustified discrimination caused by the order.

13.0 Conclusions

- 13.1 It is clear that there is strong opposition to the order from the motor-caravanning community.
- 13.2 The order was however advertised nationally and the majority of those responding are objecting to the principle of discriminating between categories of vehicles, rather than being immediately affected as regular users of the highway in these locations.
- 13.3 Whilst these comments are helpful and have allowed Officers to examine the full and wide reaching impact of the proposals, they must be balanced against the needs and opinions of those resident to the locations, or who regularly use the highway in these locations.
- 13.4 The contrasting results of the two consultations make it somewhat difficult to analyse the strength of feeling of residents and highway users local to the locations.

- 13.5 The first consultation, where paper questionnaires were delivered to properties demonstrated overwhelming support (97%) for the proposals. During the second wider reaching consultation period, where respondents were asked to categorise their interest, a small majority (51%) of people categorising themselves as residents opposed the order.
- 13.6 On examination many of the comments given by those owning motor caravans are due to either a misunderstanding of the order or are a principled response.
- 13.7 The Council has the discretion to hold a public inquiry to hear objections and take a decision on the proposals. Nobody has requested that one be held and officers do not consider that one is necessary in this case to understand the basis of objections to the order, or that it would otherwise provide any significant benefit to the order-making process, while serving to add further delay to the already considerable length of that process.
- 13.8 The testimonials and comments of residents and those immediately affected by the order discussed in section 4, present an insight into life in the streets which most people would find difficult and distressing to live with on a daily basis.
- 13.9 The temporary order was in place for over three years and until the opening of consultation, there were very few objectors to it, (2 individuals) and no concerns raised by residents.
- 13.10 Consequently, officers are of the opinion that the order should be made permanent with the exception of those locations that do not have significant numbers of properties.

14.0 Recommendations

- 14.1 It is proposed that the Corporate Director, BES in consultation with the BES Executive Members approves the following:
- (i) The proposals to implement an 11pm until 7am prohibition of motor-caravans are implemented permanently at the following locations:
 - a. The Beach, Crescent Hill, The Crescent, Filey
 - b. The Parade (A174 Lythe Bank), Sandsend
 - c. North Promenade, East Terrace, Royal Crescent, Love Lane, North Terrace
 - d. Church Street, Whitby
 - e. Sandside, Foreshore Road, Esplanade, Scarborough
 - (ii) The A174 Sandsend to Raithwaite, locations at Cayton Bay and Royal Albert Drive, Scarborough will become free of restrictions for overnight motor-caravan parking following the expiry of the recent temporary order.
 - (iii) A resident's motor caravan permit is introduced to allow residents of the streets concerned who own a motor caravan an exemption to the order.
 - (iv) An exemption for those non-residents displaying a blue badge is not included in the order.
 - (v) The proposals are monitored and any unforeseen issues are examined.

BARRIE MASON
Assistant Director – Highways and Transportation

Authors of Report: Emily Murphy

Background Papers: Consultation Responses

Appendix A – Statement of Reasons

NORTH YORKSHIRE COUNTY COUNCIL**Proposed Prohibition of Overnight Parking for Motor Caravans
between 11.00 pm and 7.00 am –
Statement of Reasons for making permanent Traffic Regulation Order****Introduction**

There are a number of attractive sea-front streets within the sea side towns in Scarborough Borough, which in recent years, with the increase in the interest in motor-caravanning, have seen a proliferation in the amount of motor caravans parking and being occupied for a number of nights on the highway. It is considered that the volume of motor caravans seeking access to these streets for this purpose detracts from the amenities of the streets for their residents and other highway users. It is reported that heavily affected sea-side streets often experience one motor caravan being replaced by another.. The County Council is proposing to introduce the proposed Traffic Regulation Order to permanently preserve and address the consequent loss of amenities and to supersede the existing temporary overnight parking restrictions for motor caravans on the roads affected, with the addition of a section of road in Sandsend, which has not been previously covered by a temporary order.

Legal Powers

The County Council are seeking to make the Order pursuant to Section 1(1)(f) of the Road Traffic Regulation Act 1984, which allows a traffic authority to make a Traffic Regulation Order where it appears expedient to make it *“for preserving or improving the amenities of the area through which the road runs”*.

Section 122 of the 1984 Act also confers a duty on local authorities to exercise the functions contained on them by the Act 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, having regard to (inter alia) the effect on the amenities of any locality affected and, specifically, 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.

Loss of Amenities

The order refers to motor caravans and no other vehicle type as the above losses of amenity are most associated with this category of vehicle and whilst it is appreciated that overnight camping may be undertaken in another category of vehicle, the combination of the amenity issues detailed below are significantly likely to be associated with motor-caravans and therefore it is considered that the overnight prohibition of this category of vehicle will improve the amenity of the affected streets.

The specific amenities that the Council considers are impacted upon by the overnight camping of motor caravans are the change in character of a street (from a public highway for all to enjoy, to a camping site), loss of view/sea view for other highway users and particularly for neighbouring properties, noise, litter, extraneous light, and the depositing of waste into highway gullies.

The amenities of the area at the various locations will be improved by the proposed Order because during the evenings and into the night it is felt that residents and business owners should reasonably expect some respite from the parking of motor caravans, for sometimes long durations, in these popular affected sea side streets. Residents should have the reasonable right to enjoy the aspect of their properties and the amenities of the area without large vehicles inhabiting the street adjacent to and in close proximity to their homes, (which in the locations includes, as an amenity, a sea-side aspect).

The amenities are further detracted from through over-night parking of such vehicles due to the impact upon some public services (including road sweeping and waste emptying that overnight camping brings with it). Further to this, by restricting access at night it ensures that there is a turnover in the spaces taken by such vehicles and ensures they do not park, for

sometimes more than a week, outside individual properties. There are many other locations in Scarborough Borough where motor caravans may continue to park unrestricted on the publicly maintainable highway.

The proposed prohibition would cover locations which, prior to the introduction of the temporary orders referred to above, tended to attract motor caravans plus a further section of road in Sandsend that has not been previously covered by a temporary order, yet reportedly experiences similar problems with amenities being affected by motor-caravans. Overnight occupancy of motor caravans on the highway fundamentally alters the nature of the highway in these locations, with negative consequences.

The overnight occupancy of motor caravans means that the individuals residing in the vehicle are temporarily dwelling in the location, and in close proximity to the curtilage of properties that adjoin the highway. This can impact upon the rights of the permanent residents to enjoyment of their property, and their privacy.

The overnight occupancy of motor caravans generates noise, sometimes within close proximity to residential properties which can be anti-social for permanent residents.

The overnight occupancy of motor vehicles on the highway, in locations which do not include appropriate facilities for camping, can lead to inappropriate use of highway gullies and drains for the depositing of waste. The effective "camping" on the highway also generates larger volumes of refuse, beyond the normal amounts of litter generated by those visiting the location for a short-stay. This refuse can be deposited in public litter bins, a purpose for which they are not designed, and a seasonal high volume of waste has historically been experienced in the various locations, which can cause spillages onto the highway and may necessitate the Borough Council increasing its cleansing schedule, to allow the for the bins to be used by day trippers as intended.


Overnight occupancy of motor caravans can increase the level of lighting on the highway during the hours of darkness. This is undesirable because it can be distracting for highway users and anti-social in locations which are in close proximity to nearby residential properties.

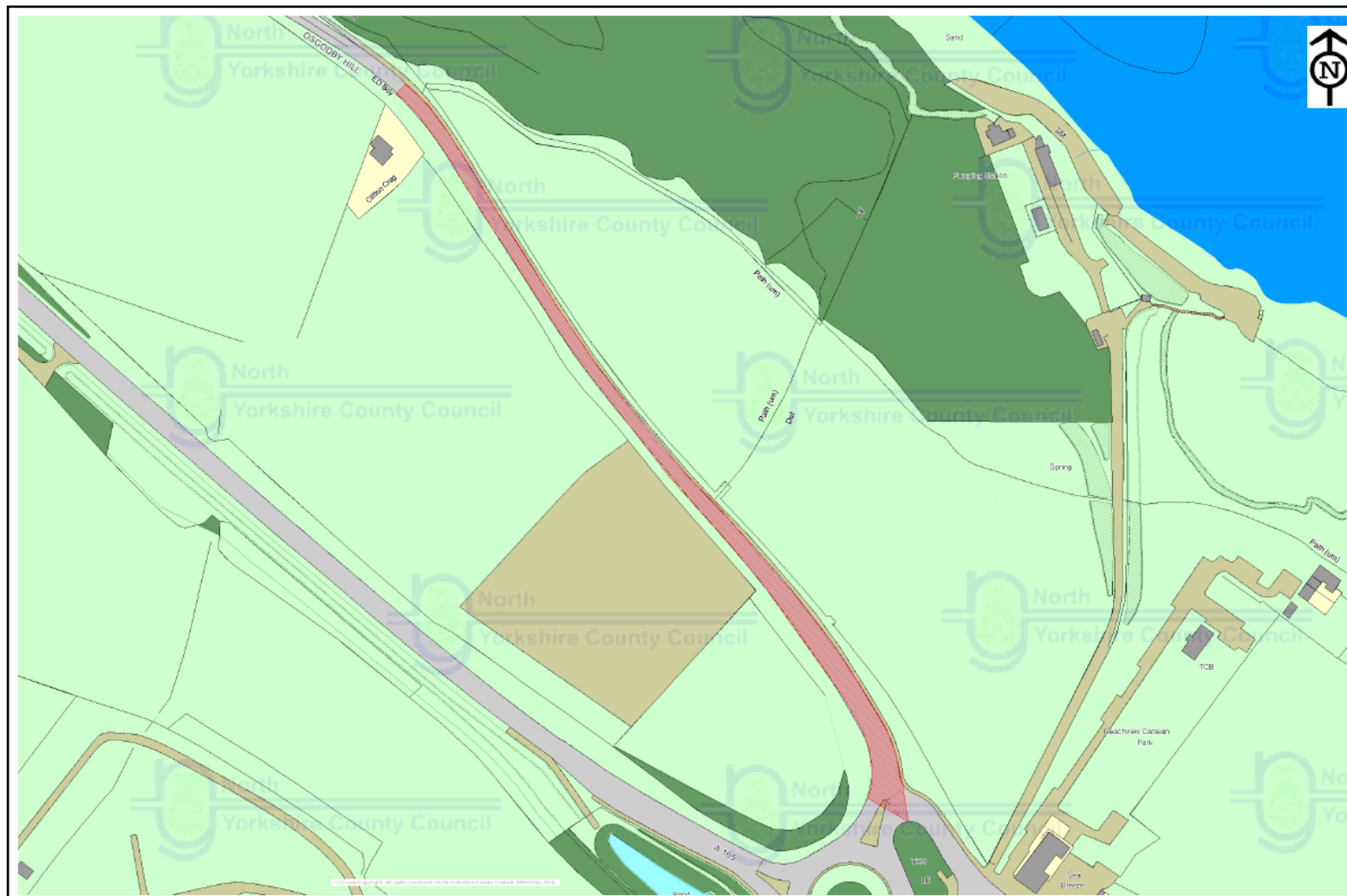
It is acknowledged that a 24 hour prohibition of motor caravans would be needed to ensure the amenities referred to above remain completely unaffected, however the Authority does not wish to completely remove the opportunity for those with motor-caravans to access these locations.


Conclusion

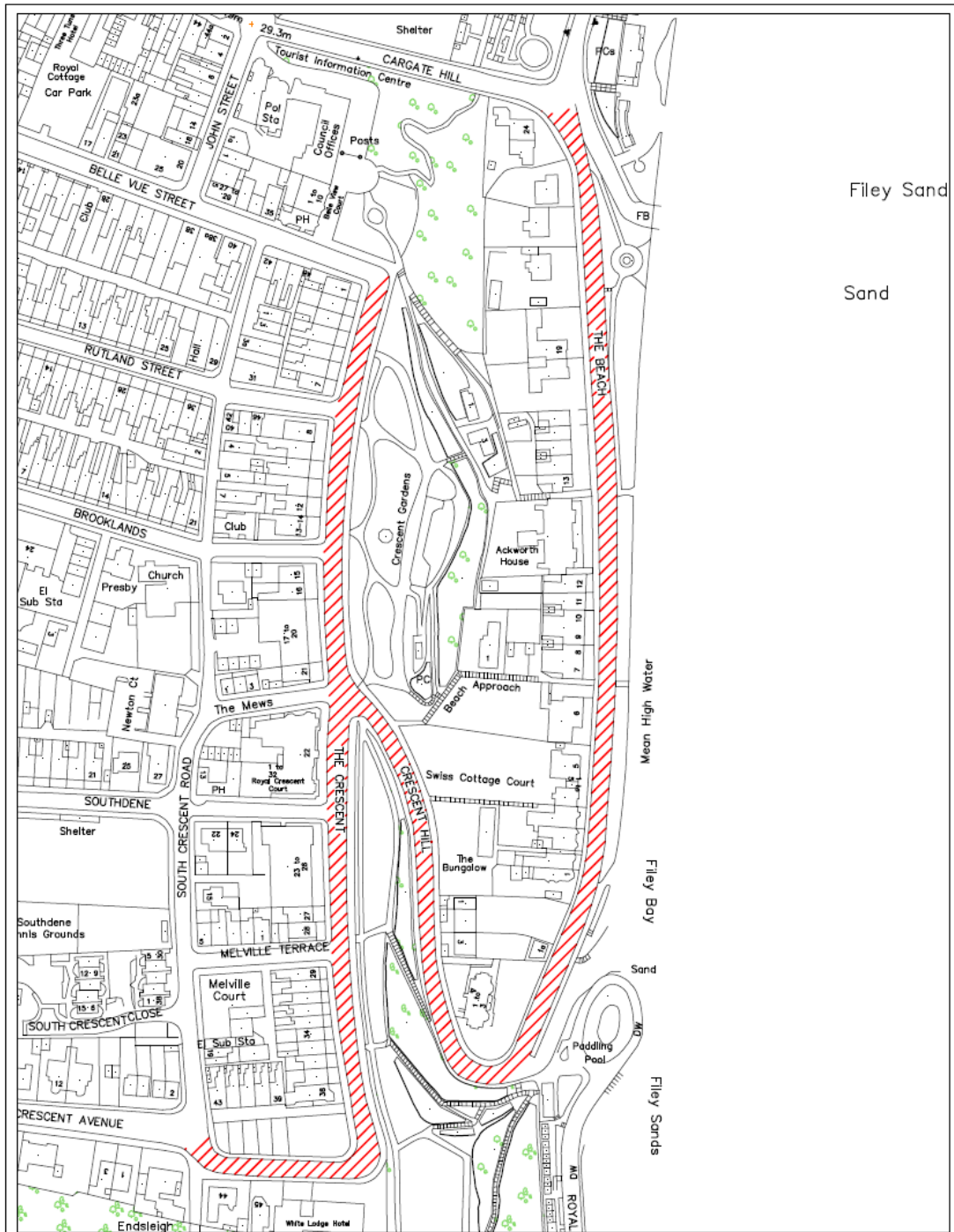
The 1984 Act makes it clear that the "amenities" to be preserved or improved are those of the area through which the road(s) run(s) and the County Council acknowledges that there is a balance to be struck between the interests of any class of road users, the interests of other classes of road users and the interests of streetward residents. Not all amenities of the area would be preserved, as one of the amenities is the 24 hour use of the affected streets by motor caravans, which would be prevented by the Order. The County Council also acknowledges that the current temporary overnight parking restrictions were introduced for environmental reasons to aid in the prevention of occupants of motor caravans depositing waste onto the highway and that there are other legal remedies available to tackle this specific issue, but that there are nonetheless additional factors (specified above) which all combine to affect the amenities of the area affected. As stated above, there are many other locations in Scarborough Borough where motor caravans may continue to park unrestricted on the publicly maintainable highway and the Council do not consider it necessary to provide additional dedicated parking places for motor caravans. It is the amenities of the area which on balance are required to be considered as preserved or improved and the County Council takes the view that the proposed Order would be expedient in achieving the purpose of "*preserving or improving the amenities of the area through which the road runs*" in line with the provisions of the 1984 Act.



	<p>Motor Caravan Prohibition - Filey Road, Cayton Bay</p> <p>(c) Crown Copyright. North Yorkshire County Council 100017946 2014</p>	<p>Map scale: Scale 1/3275 Date: Date 3/4/2014 Created by: Grid Ref: Centre = 506883 E 483947 N</p>
---	--	---



 <p>North Yorkshire County Council</p>	<p>Motor Caravan Prohibition - Osgodby Hill, Cayton Bay</p> <p>(c) Crown Copyright. North Yorkshire County Council 100017946 2014</p>	<p>Map scale: Scale 1/2417 Date: Date 3/4/2014 Created by: Grid Ref: Centre = 506496 E 484380 N</p>
--	--	--



Filey Sand


Sand

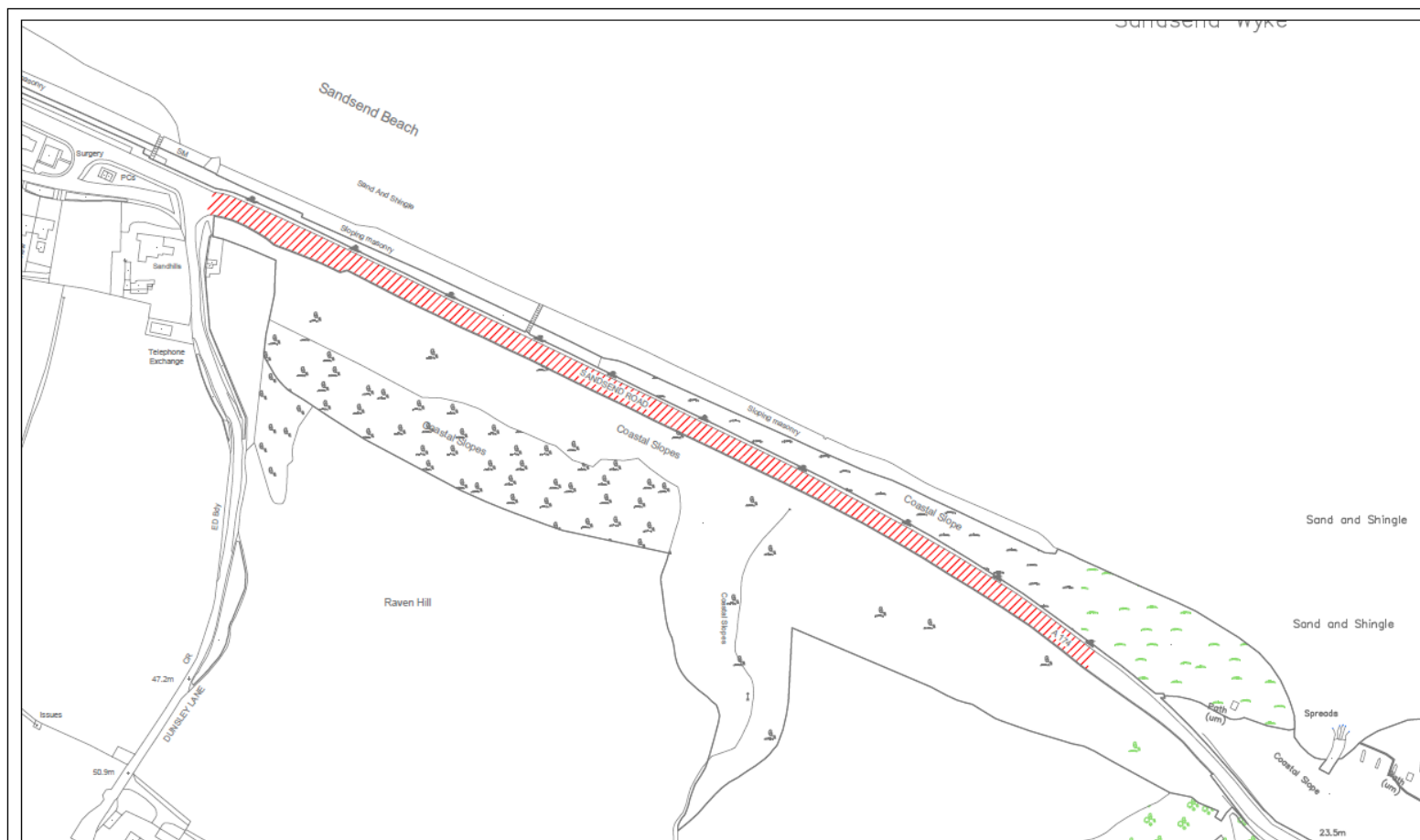
Mean High Water


Filey Bay

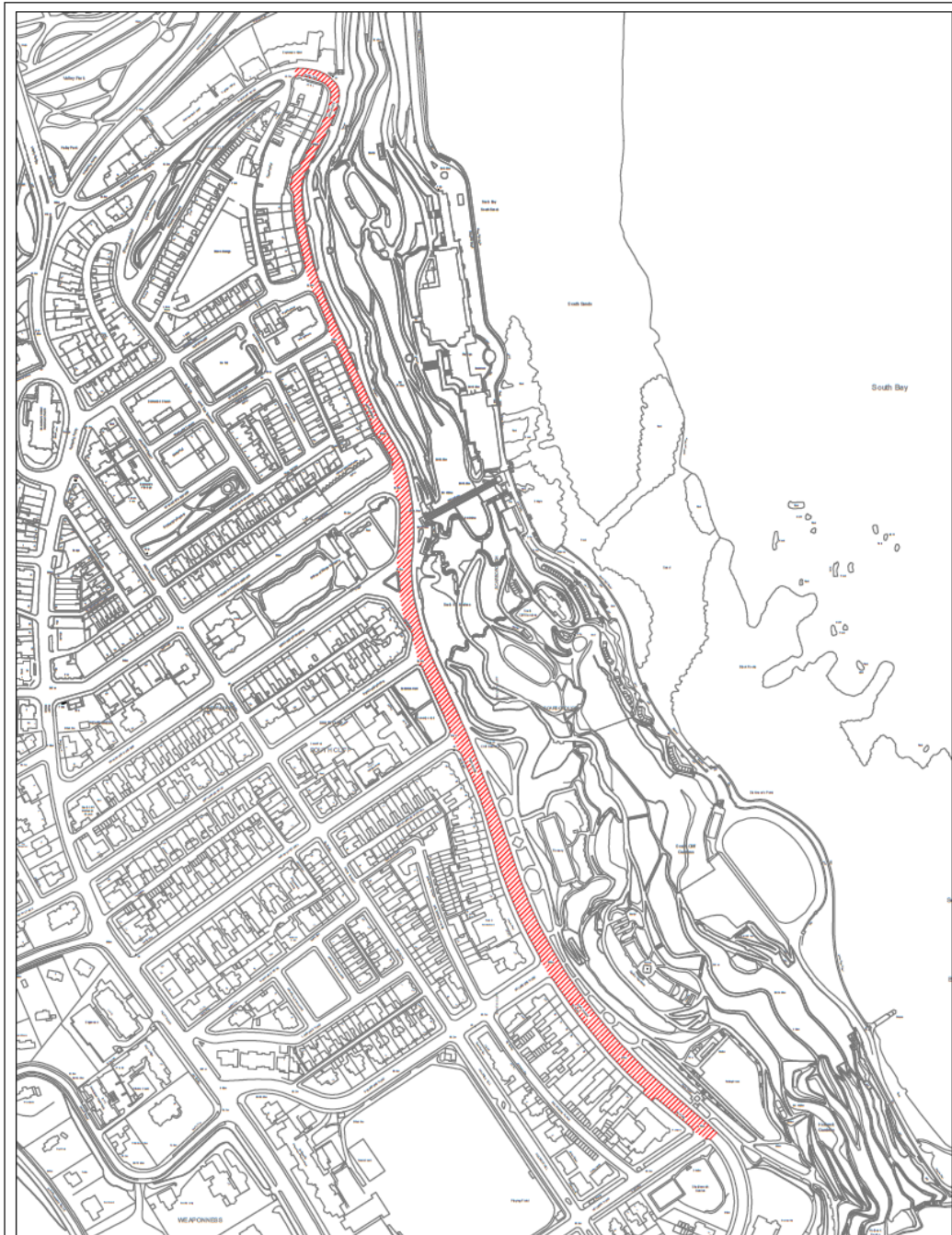
Sand


Filey Sands

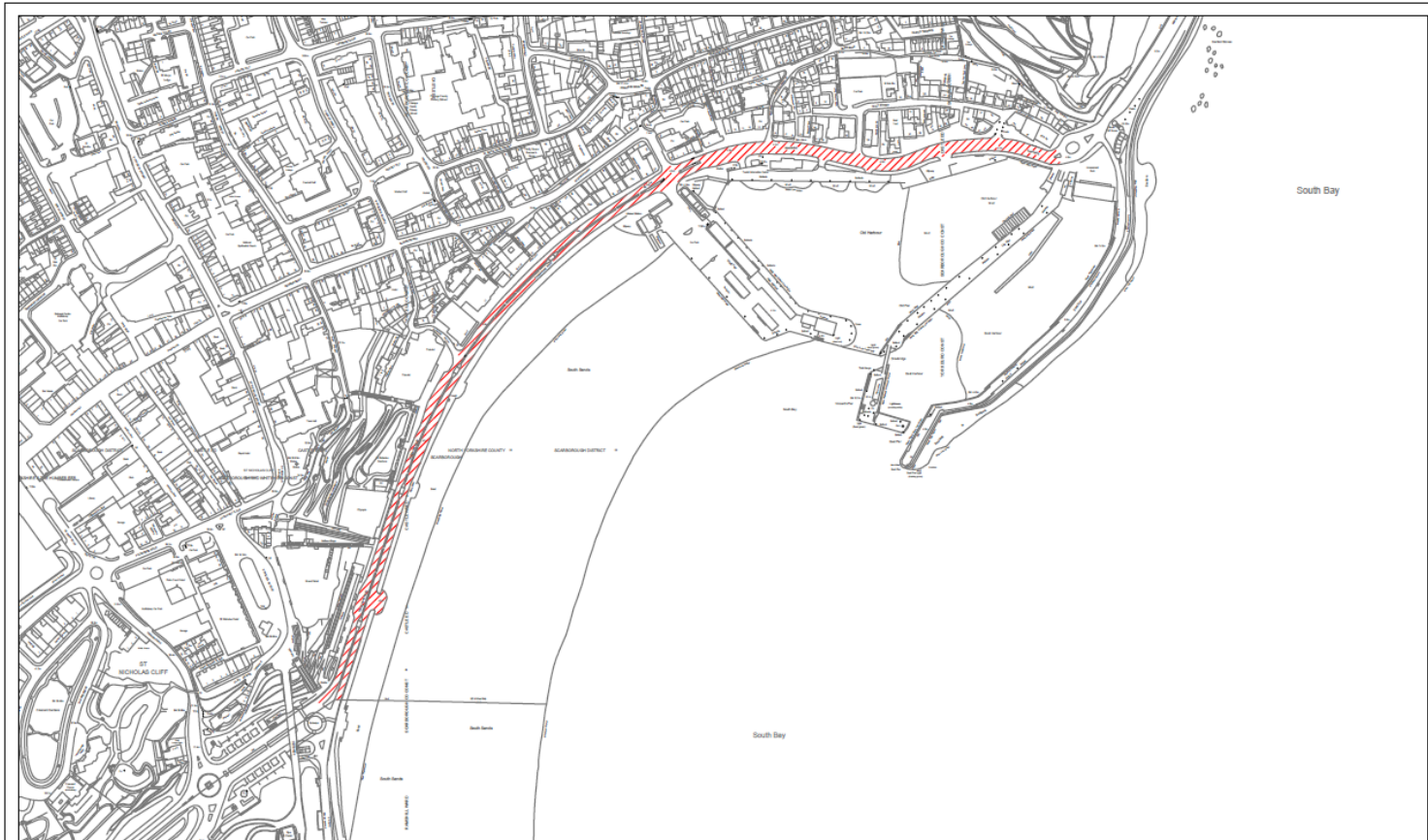
AMENDMENTS	DATE	APPROVED	DRAWN	DV	CHECKED
				6/12/12	NTS
	CHECKED				
		PROJECT FILEY		DRAWING TITLE Prohibition of motor caravans - 11pm - 7am	
Area 3 Whitby Office Cholimley Way Whitby North Yorkshire YO22 4NQ Tel: 0845 8727374 Fax: 01947 820314					



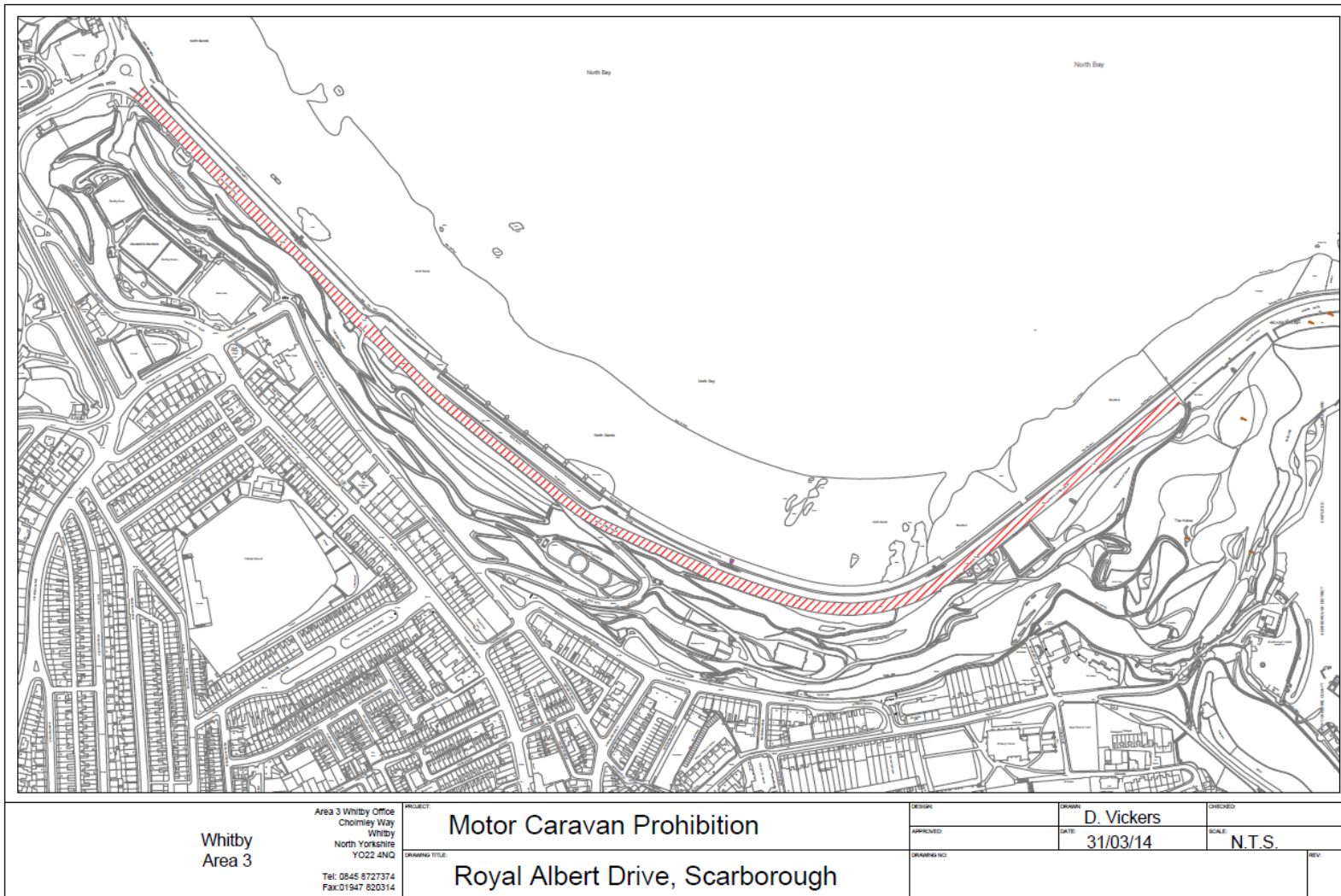
 <p>Whitby Area 3</p>	<p>Area 3 Whitby Office Chimley Way Whitby North Yorkshire YO22 4NQ Tel: 0845 8727374 Fax: 01947 620314</p>	<p>PROJECT: Motor Caravan Prohibition</p>	<p>DESIGNER:</p>	<p>DRAWN: D. Vickers</p>	<p>CHECKED:</p>
		<p>DRAWING TITLE: Sandsend Road/A174</p>	<p>APPROVED:</p>	<p>DATE: 03/04/2014</p>	<p>SCALE: N.T.S.</p>



AMENDMENTS		DESIGN	DRAWN	CHECKED
		APPROVED	DATE	SCALE
		DRAWING NO.		REV.
		PROJECT Scarborough, Esplanade Area		
Whitby Area 3		DRAWING TITLE Motor Caravan Prohibition		
Area 3 Whitby Office Cromley Way Whitby North Yorkshire YO22 4NQ Tel: 0845 8727374 Fax: 01947 820314				



<p>Whitby Area 3</p>	<p>Area 3 Whitby Office Cholmley Way Whitby North Yorkshire YO22 4NQ Tel: 0845 8727374 Fax: 01947 820314</p>	<p>PROJECT:</p>	<p>Motor Caravan Prohibition, Scarborough</p>		<p>DESIGN:</p>	<p>DRAWN: D. Vickers</p>	<p>CHECKED:</p>
		<p>DRAWING TITLE:</p>	<p>Foreshore Road/Sandside</p>		<p>APPROVED:</p>	<p>DATE: 31/03/14</p>	<p>SCALE: N.T.S.</p>

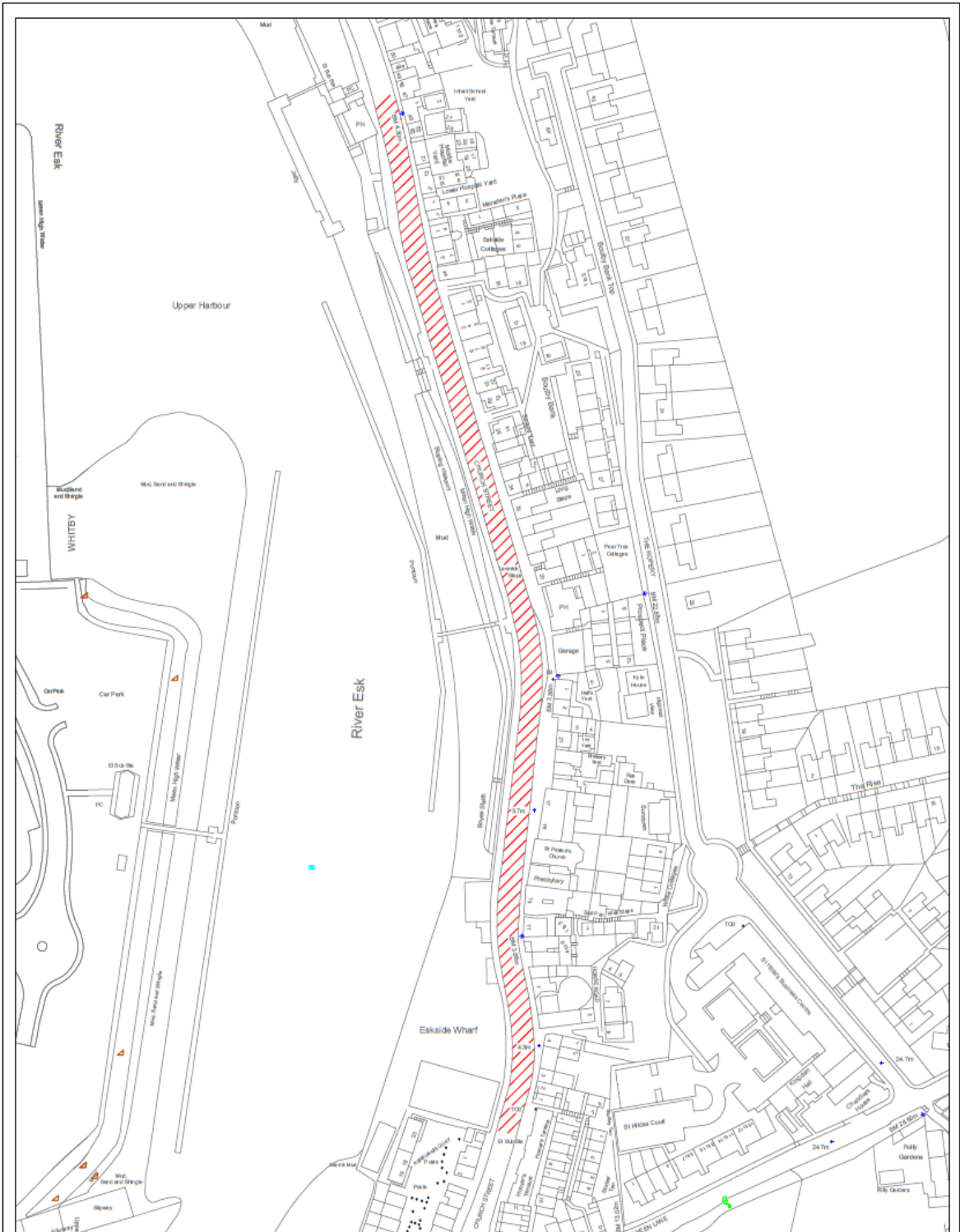


Whitby
Area 3

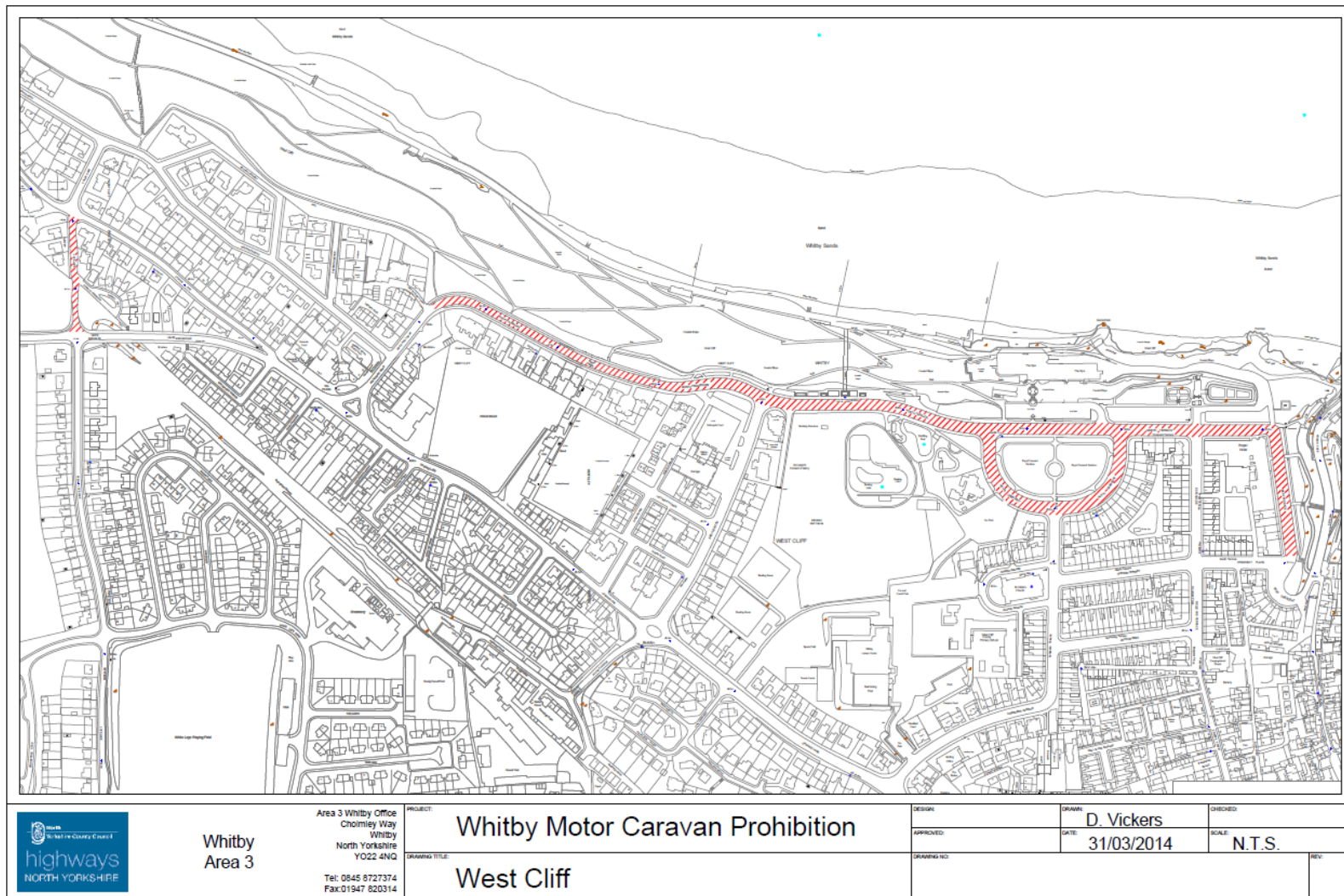
Area 3 Whitby Office
Choirley Way
Whitby
North Yorkshire
YO22 4NQ
Tel: 0845 8727374
Fax: 01947 620314

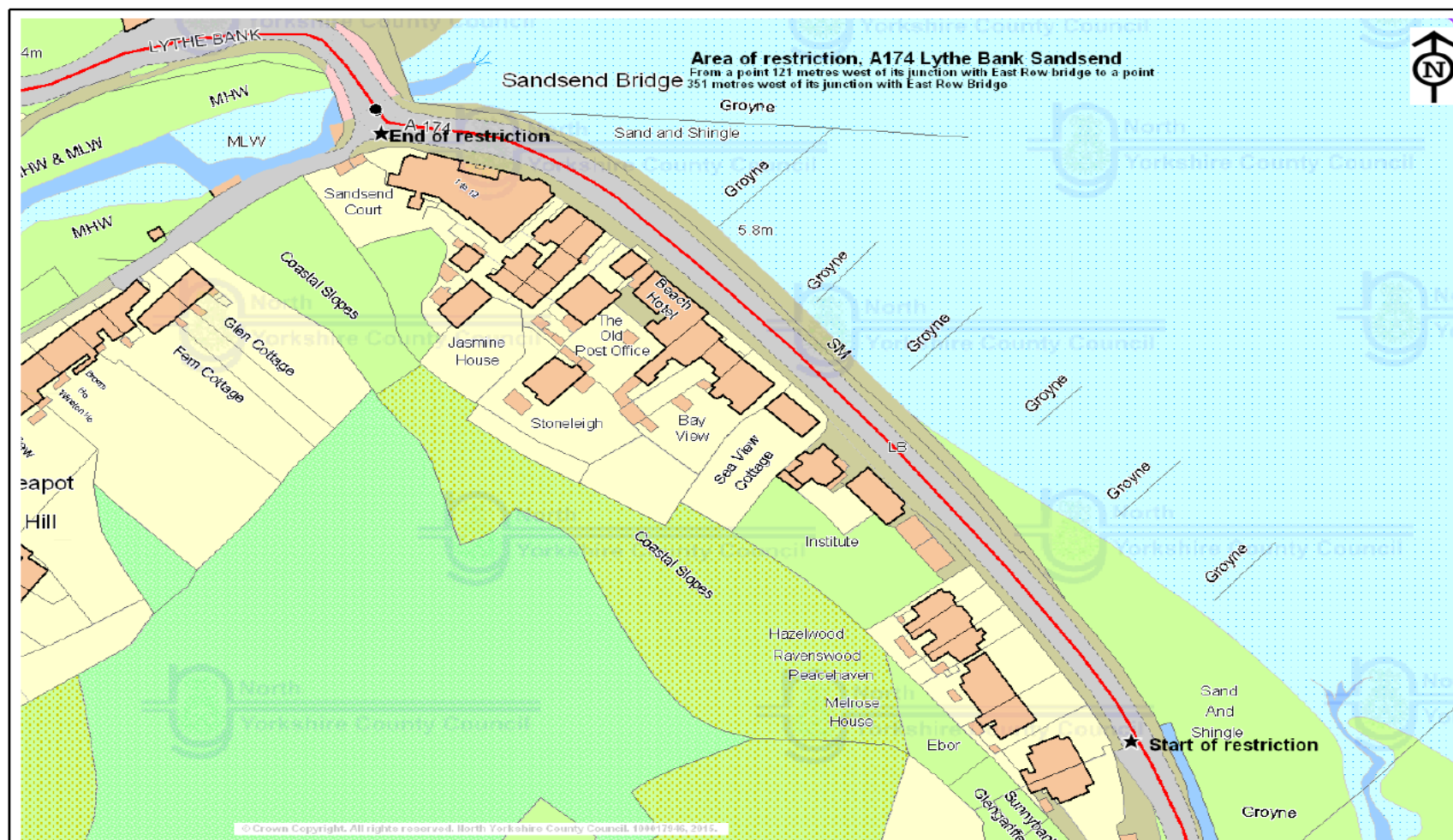
PROJECT: Motor Caravan Prohibition
DRAWING TITLE: Royal Albert Drive, Scarborough


DESIGNER:	DRAWN: D. Vickers	CHECKED:
APPROVED:	DATE: 31/03/14	SCALE: N.T.S.
DRAWING NO:		REV:



AMENDMENTS		DESIGN:	DRAWN: DV	CHECKED:
		APPROVED:	DATE: 31/03/2014	SCALE: NTS
		DRAWING NO:		REV:
	<p>Whitby Area 3</p> <p>Area 3 Whitby Office Chimley Way Whitby North Yorkshire YO22 4NQ</p> <p>Tel: 0845 8727374 Fax: 01947 820314</p>		<p>PROJECT: Motor Caravan Prohibition</p> <p>DRAWING TITLE: CHURCH STREET, WHITBY</p>	





	<p>Proposed overnight prohibition of motor-caravans,</p> <p>(c) Crown Copyright. North Yorkshire County Council 100017946 2015</p>	<p>Map scale: Scale 1/1250 Date: Date 13/7/2015 Created by: Grid Ref: Centre = 486140 E 512767 N</p>
---	---	---

Appendix C – Consultation 1 Questionnaire

Nick West B.Tech., C.Eng., M.I.C.E.
Area Manager
Highways & Transportation

Area 3 – Whitby Office

Our ref: MOTORHOME
CONSULTATION
Contact: Nick West

Discovery Way
Whitby, YO22 4PZ
Tel: 0845 8727374
Fax: 01947 820314
e-mail: area3.whitby@northyorks.gov.uk
www.northyorks.gov.uk

3rd June 2014

Dear Sir/Madam,

CONSULTATION RE. MOTOR CARAVAN PROHIBITION – VARIOUS LOCATIONS

Filey Road, Cayton Bay, Osgodby Hill, Cayton Bay, The Beach, Filey, Crescent Hill, Filey, The Crescent, Filey, Sandsend Road, Sandsend, North Promenade, Whitby, East Terrace, Whitby, Royal Crescent, Whitby, Love Lane, Whitby, North Terrace, Whitby, Church Street, Whitby, Royal Albert Drive, Scarborough, Sandside, Scarborough, Foreshore Road, Scarborough, Esplanade, Scarborough.

As you may be aware, the County Council, as Highway Authority, introduced temporary traffic restrictions in 2012 to prevent motor caravans parking between the hours of 11pm and 7am at the above locations. In order to make these measures permanent, the Council is required to consult those directly affected by the proposal. The purpose of this letter is to provide you with details of the restrictions and allow you the opportunity to express your views.

Attached is a plan showing the extent of the restrictions in hatched red, and a simple questionnaire to enable you to signify your view(s). **Please return questionnaires by 10th July 2014.**

North Yorkshire County Council welcomes those using motor caravans to its sea-side resorts. The relevant streets are sea-front locations, where it is considered that the overnight parking of motor caravans significantly detracts from the amenity of the local area and the lives of those living in the streets.

If there are no reasonable objections to the proposals, it is anticipated that the restrictions will be made permanent within six months from the end of the consultation period. If objections are raised which are not resolved or withdrawn, it will be necessary to report the objections to the Director of Environmental Services and the Executive Members for Business and Environmental Services for consideration and a decision on the course of action to be pursued. I trust this is satisfactory and look forward to receiving your comments.

Yours faithfully

Nick West
Area Manager

Consultation on motor caravan prohibition

Thank you for completing this questionnaire.

A “**Motor Caravan**” is a vehicle of category M with living accommodation space which contains the following equipment as a minimum:

- (a) seats and table;
- (b) sleeping accommodation which may be converted from the seats;
- (c) cooking facilities;
- (d) storage facilities

The definition is contained within European Directive 2007/46/EC.

Q1 Contact name _____

Q2 Contact address

Q3 Telephone/fax/email

Q4 Do you support the introduction of a traffic regulation order that prohibits motor caravans from parking on the highway any day from 11pm to 7am?
(please tick one box only)

Yes

No

Q5 Would you support an exemption from the above order for anyone displaying a blue badge in a motor caravan? (please tick one box only)

Yes

No

Q6 Would you support an exemption for residents that own a motor caravan and live on any of the streets directly affected by the order? (please tick one box only)

Yes

No

Consultation on 11pm - 7am motor caravan prohibition

Various streets in Cayton Bay, Filey, Whitby, Scarborough, Sandsend

February 2015

North Yorkshire County Council is gathering opinion on the permanent prohibition of the parking of motor caravans in sea-side streets in Scarborough Borough, between the hours of 11pm and 7am.

A "motor caravan" is a vehicle of category M with living accommodation space which contains the following equipment as a minimum:

- (a) seats and table;*
- (b) sleeping accommodation which may be converted from the seats;*
- (c) cooking facilities;*
- (d) storage facilities.*

The definition is contained within European Directive 2007/46/EC.

The closing date for responses is Friday 6 March 2015.

Engagement promise

This consultation has been planned in accordance with the North Yorkshire County Council engagement promise. This sets out what you can expect from us including using plain English and telling you what has been done as a result of the consultation. More details of the promise can be found online at <http://www.northyorks.gov.uk/article/23996/Consultation-and-community-engagement> including how to tell us what you think.

Freedom of information

The County Council is subject to the Freedom of Information Act 2000. The County Council may be required to disclose publicly views that have been expressed to it but will take account of your privacy rights. For more information please call Emily Murphy on 01809 534878.



Q1 Which of the following statements apply to you?
(Please select all that apply)

- I am a local resident
- I am a motor caravan owner
- I am responding to this consultation in another capacity

If you are responding to this consultation in another capacity, please provide further details.

Q2 Which age category are you in?

- 16-19
- 20-29
- 30-39
- 40-49
- 50-64
- 65-74
- 75-84
- 85+
- Prefer not to say

Q3 Do you consider yourself to be a disabled person or to have a long-term, limiting condition?

- Yes
- No
- Prefer not to say

If you consider yourself to be a disabled person or to have a long-term, limiting condition how would you describe the nature of your impairment or condition?



Q4 Do you agree or disagree with the introduction of a traffic regulation order that prohibits motor caravans from parking on the highway between the hours of 11pm and 7am?

- I agree
- I disagree

Q5 Do you agree or disagree with an exemption of three hours for motor caravans parking and displaying a blue badge between the hours of 11pm and 7am?

- I agree
- I disagree

Q6 Please tell us any further comments you wish to make regarding motor caravan prohibition.

Q7 If you would like us to contact you to discuss your response in more detail, please leave your name and contact details below.

Thank you for your feedback.

Please return your completed questionnaire to: North Yorkshire County Council, Area 3
Whitby Office, Chomley Way, Whitby, YO22 4NQ.

Appendix E – Themes discussed by Respondents and Officer Comment

Comment/number of times made	Officer comment
Park and Ride sites could be used to provide the French-style aire system as they are not used overnight (5)	The North Yorkshire County Council Park and Ride car parks are covered planning conditions which prohibit their use after the hours of operation of the bus service. Consequently the sites cannot be used to provide overnight parking for motor-caravans.
Motorcaravans which are taxed, insured and roadworthy are legitimate highway users and have same rights as other categories of vehicle (52)	<p>the Department for Transport had issued an authorisation of traffic signs and special directions (GT50/113/0008) in respect of appropriate sites on roads for which the Council is the traffic authority, accompanied by a set of drawings (GT50/113/0008-1) of signs, one of which (authorised sign R) specifically shows a prohibition on the waiting of motor caravans during specified hours.</p> <p>2.13 The definition of motor-caravans used is the EU definition as follows: A “Motor Caravan” is a vehicle of Category M: (Motor vehicles with at least four wheels designed and constructed for the carriage of passengers.) with living accommodation space which contains the following equipment as a minimum:</p> <ul style="list-style-type: none"> (a) seats and table; (b) sleeping accommodation which may be converted from the seats; (c) cooking facilities; (d) storage facilities <p>The definition is contained within European Directive 2007/46/EC.</p>
There should be a restriction of all vehicles or none/residents only parking instead (2)	Other vehicles are not considered to affect the amenities to an extent which justifies a restriction. Restricting parking for all would significantly reduce the amount of available parking in some of the locations and consequently this measure is not considered justified or desirable.
This will result in displacement to other roads and streets (4)	It is considered that as the remaining unaffected streets do not have the attraction of the sea front position, there will be no significant displacement of overnight parking of motor-caravans from the affected streets into any other specific location, and rather the practice will consequently be evenly dispersed throughout the remaining unrestricted areas, therefore ameliorating the issues borough-wide. Notwithstanding this, adjacent streets will be monitored following any implementation and any action considered necessary will be taken.

I visit the locations to sea-fish/surf and would be denied access (2)	It is appreciated that those wishing to fish or surf, and therefore requiring access to the sea front locations at tide-dependent times, with larger vehicles will be restricted. The locations which are most often used (Sandsend, Cayton and North Marine Road) are recommended to be removed from the restriction, as they restrict such access, following other comments received and as there are few residents in the locations, displacement in these locations may have the undesirable effect of displacing motor-caravans to locations where more highway users and residents are affected.
Restricting parking after 7pm would mean I can't access restaurants after this time (1)	Parking is not restricted after 7pm it is restricted after 11pm.
I can understand this is necessary on sea side streets but not side streets (1)	The order only covers sea front streets. Side streets or any other roads in the towns are not affected.
Resources could be better spent (approx. 3)	The County Council has to address resources at the issues highlighted by residents and their elected representatives to be of most importance. As there has been a temporary order in the locations for the past three years the proposals do not involve any further capital expenditure.
I am a motor caravanner and I agree with order/this is a small minority spoiling it for rest/ people should use official sites/shouldn't expect free parking/I sympathise with residents (30)	It is appreciated that it is a small minority of the motor caravanning community who are causing issues to amenities in the locations. Unfortunately it is impossible to identify which motor caravans are seeking access legitimately to visit the locations and which are using the locations for overnight camping. It is considered that by only applying an overnight restriction it allows a balance between the rights of other highway users and residents to enjoy the locations and the ability of motor caravan users to access the locations during the day.
There should be a fee attached to the locations above for overnight motor caravan parking (6)	There is no plan to charge for overnight parking for motor-caravans in any locations in the Borough in association with these proposals.
Should provide parking for day visitors (5)	The proposal is between the hours of 11pm and 7am motor- caravans may park in the locations unrestricted outside these hours.
It should be mandatory to use official sites	It is not considered appropriate or desirable to restrict motor caravans to official sites. This would remove the rights of those with motor caravans to reasonable access to facilities in town centres.

containing appropriate facilities (11)	There is also no evidence that motor caravans are parking in such proliferation as to cause a problem in any other locations other than the sea side streets sighted.
Motor caravan parking shouldn't be allowed at all (2)	It is not considered appropriate or desirable to restrict motor caravans from all streets in Scarborough Borough. This would remove the rights of those with motor caravans to reasonable access to facilities in town centres. Motor caravans are welcome in North Yorkshire, however in the streets affected the duration and proliferation of motor caravan parking impacts upon the needs of the residents and other highway users and the order attempts to balance these sometimes conflicting needs.
Motor caravans use two parking bays and are therefore detrimental to economy/take up parking for others requiring access (10)	Some larger motor caravans clearly require larger areas to park. It is hoped that by removing the rights of motor caravans to park in the most popular sea front locations in the Borough that this will reduce the amount of motor caravans during the day to those who reasonably require access and rely on a motor caravan as their mode of transport. It is not considered reasonable to restrict access altogether.
There should be a modest charge for motor caravans parking in the locations (2)	Whilst this may offer some regulation over parking it would not remove the detriment to the local amenities in the locations which the order seeks to address.
This is my only vehicle and would prevent my access (13)	The restriction is only during the hours of 11pm and 7am as it is not considered reasonable to restrict parking altogether. It is hoped that by removing the rights of motor caravans to park overnight in the most popular sea front locations in the Borough that this will reduce the amount of motor caravans during the day to those who reasonably require access and rely on a motor caravan as their mode of transport.
Information should be provided on street to direct people to facilities (3)	There are no Council- provided facilities for motor caravans, other than parkin in unrestricted areas of the publicly maintainable highway. Direction to official campsites cannot be provided by the Council as it could be seen to be giving commercial advantage to the businesses sign posted.
Don't need the change/"if it isn't broke don't fix it"/no issue (9)	There has been a temporary order covering the locations for three years, therefore the order in practice will seek to continue the status quo on a permanent basis.
Motor caravans use on-street parking in towns as they require access to restaurants/night life. Out of town sites don't provide this (9)	The order only covers the sea front streets which are the most popular locations for motor-caravan overnight parking. Any other unrestricted streets in the town remain available for overnight parking.

Should introduce a by-law covering the whole Borough (1)	It is not considered appropriate or desirable to restrict motor caravans from all streets in Scarborough Borough. This would remove the rights of those with motor caravans to reasonable access to facilities in town centres. Motor caravans are welcome in North Yorkshire, however in the streets affected the duration and proliferation of motor caravan parking impacts upon the needs of the residents and other highway users and the order attempts to balance these sometimes conflicting needs.
You haven't asked the motor-caravanning community (1)	The proposals were advertised in a national publication and over 500 responses have been received for consideration by those starting they are motor caravan owners.
Should include other streets – Avenue Victoria Granville Road Scalby Mills Road (7)	Whilst it is acknowledged that there are other roads which motor caravans utilise for overnight parking, they do not experience the same proliferation and consequent amenity loss as the sea-front streets. Notwithstanding this, adjacent streets will be monitored following any implementation and any action considered necessary will be taken.
Lorries/vans/towed caravans cause same problems (9)	In the streets identified, the same issues are not reported to be caused by any other category of vehicle.
I am worried that the order will be extended if implemented to include other areas (3)	There are no plans to include other areas at present. Adjacent streets will be monitored following any implementation to ensure there is no unforeseen displacement, however this will be proportionate and will be subject to consultation and advertisement if thought to be required.
I have visited Bridlington and it has lots of empty shops. Order therefore detrimental to economy (1)	Bridlington is not in North Yorkshire, it is in the East Riding of Yorkshire. The comments regarding the economy have been counted under the "economy loss" theme.
There should be a time limit for all categories of vehicles (2)	Time limited waiting would ensure a turnover in parking spaces but would not remove the issues residents experience with the proliferation of motor-caravan overnight parking.
Caravan sites do not open all year and therefore can't be used/could there be a seasonal restriction (7)	The proposals only refer to a small number of sea front streets. There are many other unrestricted streets in all towns in the Scarborough Borough which are not affected by the order therefore a seasonal restriction is not considered necessary.
The order needs to be enforced in order to be successful (5)	The order is and would continue to be enforced by Scarborough Borough Council Parking Services, as agents to the County Council.

No right to light/sea view (2)	The streets include as part of the amenity, a sea view aspect. Some of the streets, particularly the streets in Filey and the Esplanade in Scarborough contain a large amount of basement flats, and the parking of motor caravans against the footways in close proximity to these properties significantly affects the residents quality of life. Whilst there is no “right” to a sea view or light, the order is proposed due to the interlinking and cumulative effect of the overnight parking of motor caravans on residents and other highway users, of which these issues are a part.
Gypsies cause more nuisance (3)	There is legislation available which allows the Council to move on those on unauthorised encampments after two weeks. Those powers cannot be utilised in the instances provided as the duration of stay of motor-caravans is routinely too short for the powers to be evoked. Nevertheless, due to the proliferation of overnight parking by motor-caravans in the affected streets, the impact on the amenities of the locations is the same.
Comments about “boy racers” causing more nuisance (2)	This is an issue separate to the proposals.

Appendix F – Equalities Impact Assessment

Name of Directorate and Service Area	BES Highway operations
Lead Officer and contact details	Helen Watson – Improvement Manager 4877
Names and roles of other people involved in carrying out the EIA	Emily Murphy – Project Engineer
How will you pay due regard? e.g. working group, individual officer	Any objections received during the consultation stage will be referred to the Corporate Director – BES, in consultation with Executive Members for determination, with the Yorkshire Coast and Moors Area Committee acting as a consultee on a “wide area impact” Traffic Regulation Order.
When did the due regard process start?	There are currently two temporary orders which prohibit motor caravans from parking between the hours of 2300 and 0700 in various sea-side streets in Sandsend, Whitby, Scarborough, Filey and Cayton. The current temporary orders replaced two previous temporary orders, which were originally made in July 2012. Making a temporary order does not require an assessment of the impact upon equality. However, it has given an indication of any issues that a permanent order may involve. In May 2014 a previous consultation on a permanent Traffic Regulation Order was undertaken, assessing views on the proposal, and due regard will be paid to these comments and any further gathered during the course of this consultation.
Sign off by Assistant Director (or equivalent)	Barrie Mason, Assistant Director - Highways & Transportation
Date	15 July 2015

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 Area 3 Highways office is proposing to apply a permanent prohibition of motor-caravans, between the hours of 2300 and 0700, in various sea-side streets in Sandsend, Whitby, Scarborough, Filey and Cayton. This permanent order will supersede the temporary orders which have been in place since 2012 in all locations, other than the A174 Lythe Bank which has never been subject to the temporary order.

Section 2. Why is this being proposed? (e.g. to save money, meet increased demand, do things in a better way.)

In recent years the motor-caravan industry has grown, and increasingly residents and affected local councillors have been reporting that on-street parking in popular sea-side streets is regularly used by motor caravans for camping in the highway. Motor-caravans have been observed to regularly park without moving, sometimes for upwards of a week. In isolation this does not cause a serious problem, but in the heavily affected sea-side streets, which are attractive to motor-caravans for the view offered and nearby facilities, motor-caravans may leave after a couple of days or a week or longer only to be replaced by another vehicle, with similar intent, giving no respite to residents. It is considered that

the parking of such vehicles over a long period of time and the proliferation of this activity is detrimental to the amenities in the affected areas.

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

The proposed alteration from temporary to permanent Orders will see motor caravans no longer able to park over-night, between 2300 and 0700 in the most widely affected sea-side streets.

It is proposed that parking for motor-caravans continues to be permitted from 0700 to 2300, allowing access to services during the opening hours for those motor-caravan owners who use their vehicle as a means of transport as well as for overnight accommodation purposes.

Section 4. What impact will this proposal have on council resources (budgets)?

Cost neutral? N

Increased cost? Y

Reduced cost? N

Please explain briefly why this will be the result.

There will be costs associated with advertising and making the traffic order, and future maintenance of signage. There may be additional costs for out-of-hours enforcement when carried out between the hours of 2300 and 0700.

Section 5. Will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? State any evidence you have for your thinking.
Age		x		<p>As the prohibition is only between 2300 and 0700, it will ensure that motor-caravans are not left on the highway indefinitely, affecting the amenity of the locations and ensuring there is a turnover in parking spaces. Consequently older people wishing to park closer to the sea-side amenities will have better chance of doing so throughout day light hours, as well as during the hours of prohibition.</p> <p>Whilst those with motor-caravans will no longer be able to park between 2300 and 0700, it is not considered that it would have any disproportionate specific effect on this protected characteristic. Those living in the affected streets with one or more protected characteristics, will experience an improvement in the associated amenities in the street, as detailed in the statement of reasons.</p>
Disability		X		<p>The prohibition is only between 2300 and 0700, however it has the effect of ensuring that motor-caravans are not left on the highway indefinitely, affecting the amenity of the locations and ensuring</p>

		X	X	<p>there is a turnover in parking spaces. Consequently disabled people requiring to park closer to the sea-side amenities will have better chance of doing so throughout day light hours, as well as during the hours when motor-caravans are prohibited.</p> <p>Those living in the affected streets with one or more protected characteristic will experience an improvement in the associated amenities in the street, as detailed in the statement of reasons.</p> <p>The prohibition would have an effect on people with motor-caravans who also have a blue badge, in that a blue badge gives an exemption of up to three hours, but blue badge holders in motor caravans would not be able to park in the areas covered by the prohibition for the entire period between 11.00 pm and 7.00 am.</p>
Sex (Gender)	X			Those living in the affected streets with one or more protected characteristic will experience an improvement in the associated amenities in the street. The amenities considered to be affected are given in detail in the attached statement of reasons.
Race	X			As above
Gender reassignment	X			As above
Sexual orientation	X			As above
Religion or belief	X			As above
Pregnancy or maternity	X			No impact
Marriage or civil partnership	x			As for "sex (gender)"
Section 6. Would this proposal affect people for the following reasons?	No impact	Make things better	Make things worse	Why will it have this effect? Give any evidence you have.

Live in a rural area	x			The proposals will not affect those living in a rural area any differently to those living in urban conurbations.
Have a low income	x			The proposals will not have any significant effect, because those with low incomes may still access free parking in non-affected streets.

Section 7. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men?) State where this is likely to happen and explain what you think the effect will be and why giving any evidence you have.

Whilst the proposals do not have a specific effect on any protected characteristics, there is a consequential peripheral disparity in that the order does prohibit those with motor-caravans from parking on the publicly maintainable highway in the affected areas between the hours of 2300 and 0700 whilst it does not affect those parking in other categories of vehicle.

This disparity is felt to be justified, because the combination of motor-caravans parking during these times and for long periods, the proliferation of motor-caravans in the affected areas and the use of the vehicle negatively impacts upon the amenities in the area, and consequently by removing the vehicles any residents with the protected characteristics are positively impacted upon. It also positively impacts upon those with some protected characteristics wishing to park in the areas, as explained in section 6.

There is provision for those with motor-caravans to continue to park on the highway between the hours of 2300 and 0700 in unaffected streets, although it would be preferred that this was not undertaken in residential areas for the same reasons, or in private camping facilities, and so are not severely compromised.

Section 8. Only complete this section if the proposal will make things worse for some people. Remember that we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us.

Can we change our proposal to reduce or remove these adverse impacts?
No

Can we achieve our aim in another way which will not make things worse for people?
No

If we need to achieve our aim and can't remove or reduce the adverse impacts get advice from legal services. Summarise the advice here. Make sure the advice is passed on to decision makers if the proposal proceeds.

Although the proposal will have adverse impacts on some people with protected characteristics identified at Section 5 above the proposal is unlikely to have a specific effect on groups of people with protected characteristics. The County Council has given due consideration to these impacts through consultation and carrying out the Equalities Impact Assessment and will continue to monitor the situation following implementation of the proposal to assess whether any further mitigation measures are required.

Section 9. If the proposal is implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The proposals will be monitored based upon the effectiveness of the enforcement of the restrictions by Civil Enforcement Officers, the feedback received from residents and those affected by the proposals.

Section 10. List any actions you need to take which have been identified in this EIA			
Action	Lead	By when	Progress
Monitor enforcement	EM	August 2016	

Appendix G

Information from Mr Strangeway

No Motor Caravans – Presentation

Facts

1. There is a claimed loss of amenity, a sea view, to an estimated 1,000 properties. This is not a legal right. There are 250,000 motor caravans in the UK they will lose their legal right to an amenity, 24 hour parking.
2. Apart from a few hours in the summer there is no sea view between the hours of 23.00 and 07.00 as it is dark.
3. Even if it is not dark between the hours of 23.00 and 07.00 there is no loss of a sea view at Royal Albert Drive, Scarborough as there is a cliff under which vehicles park.

Legal

1. If the order is agreed a Penalty Charge Notice can only be successfully enforced if there is evidence that the motorhome contains a table. The EU Directive for a motor caravan states a motor caravan contains a table.
2. If the order is agreed it will be challenged under a judicial review. The council will lose the judicial review as Facts 1 to 3 proves *"the decision was so unreasonable that no reasonable authority would ever consider imposing it."* I refer you to *"Wednesbury unreasonableness"*

Finally

1. All "No Motor Caravan" signs must be removed or covered up with immediate effect as the temporary order expired last night. Not to do so may be considered fraud.

Appendix G

From: [REDACTED]
Sent: 17 July 2015 16:37
To: Jane Connolly; Josie O'Dowd
Subject: Motor Caravan Parking Prohibition - Scarborough Borough Area

Dear Ms Connolly and Ms O'Dowd

Proposed prohibition of parking of motor caravans, 10pm to 7.00am affecting Crescent Hill, Filey.

Thank you for your recent letter informing me about the meetings to consider the above proposal that will be held on 23 and 31 August 2015. Although I would wish to attend both the meetings, I regret to say, that I have prior commitments that prevent me from doing so.

However, I do wish to have it made clear on both occasions that as a resident and the owner of a camper that is my mode of transport, I feel that it will be an unjust penalty and gross inconvenience to not be able to park my vehicle outside my property.

I wrote to you on 3 March 2015 proposing that residents might be issued with a special parking permit declaring non sleeping parking and the property to which it relates.

I also provided you with a mocked up example and I sincerely hope that my proposal has featured in your report to Committee.

I am hoping that this proposal will not be rejected as being unreasonable or unworkable. Should the outcome be negative then I will expect a full explanation of the grounds upon which a rejection is based.

I reiterate from previous correspondence that sleeping on residential streets is both unnecessary and uncalled for. I have personally experienced rubbish being left on my property by those who abuse the good name of the majority of motorhome owners.

I attach a copy of my original March 3 letter.

Yours sincerely

[REDACTED]

Appendix G

[REDACTED]

Mrs Emily Murphy
Highways and Transportation
Area 3 – Whitby Office
Discovery Way
WHITBY
North Yorkshire
YO22 4PZ

3 March 2015

Dear Mrs Murphy

Overnight Motor Caravan Prohibition – Crescent Hill Filey.

I am writing with reference to Helen Watson's letter of the 5 February 2015.

I have responded to your original request of June 2014 for feedback and comments on the above matter. I am now writing to reinforce my situation and give reasons regarding the granting of some exceptions for homeowners and residents within the proposed restricted areas.

I own and regularly visit my property at [REDACTED]. I travel to my property using a panel van converted camper and park it opposite my property and where there are no other properties. I have no off-street parking facility. It therefore seems absurd that I should have to move it every night to a position that is, perhaps annoyingly, outside someone else's property within the town and where they would be very inconvenienced should the alarm go off and about which I would be unaware. I can at least be both reassured and monitor its wellbeing and contents if it is outside my property.

Having said this I fully concur with the view that motor caravans should not be used for on-street sleeping and I appreciate that this is the specific issue that you are trying to prevent. In my situation this will never occur.

I would therefore like you to consider issuing an official windscreen permit (dated/renewable?) that indicates that the vehicle is not being inhabited during the night. This might also include the vehicle registration number and the property to which the concession is related. (See attached idea).

Appendix G

I have spoken to both of my adjoining neighbours, who are also motor home owners, and they agree that such an arrangement would be an ideal solution.

Finally, I might add, that attempting to sleep in a van on the horizontally challenging Crescent Hill would be a very uncomfortable experience indeed!

I hope that my suggestion will be seriously considered and I look forward to a favourable and understanding response in due course.

[REDACTED]

Yours sincerely

QuickTime™ and a
discompleaser
are needed to see this picture.

Highways and Transportation

MOTOR CARAVAN PARKING PERMIT

VEHICLE REGISTRATION NUMBER:

ADDRESS TO WHICH THIS PERMIT APPLIES:

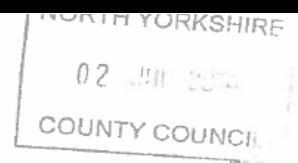
[REDACTED]

This vehicle is permitted to park overnight at the above address on the condition that it is not used for overnight habitation.

PERMIT No.

PERMIT DURATION: **to**

30TH JUNE 2014.



Dear Mr Khan,

Reference: PROHIBITION OF MOTOR CARAVANS
PARKING ON ESPLANADE

HOPEFULLY I submit to you constructive input relative to the above, and await your written response.

During last week some 5 (FIVE) motor caravans were PERMANENTLY parked on the South cliff clock tower area. Today 3 of the same motor caravans are still parked there from 07-00 to 23-00 HRS. All that happens is they park in front of COUNCIL TAX PAYERS RESIDENCES, and return at 07-00 HRS to park on KERBS.

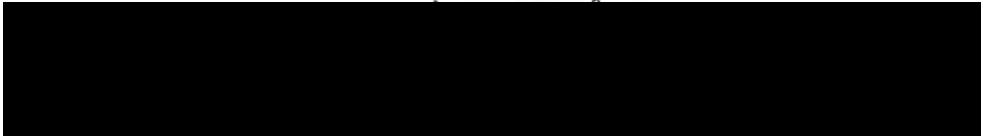
I suggest, rather than creating the above mentioned nonsense they are COMPLETELY BANNED, as they occupy resident and visitor LIMITED parking.

2

There are numerous sites around Scarborough to accommodate motor Caravan parking.

NOW is the time for EFFECTIVE ACTION by COUNCIL, rather than a repeat of futile UNPOLICED regulations, which as described is easily contravened.

Enough Council nonsense is being experienced at a time when the quality of management is now imperative to function as the Private Sector operates WITHOUT TAX PAYER FUNDING. An example is the withdrawal of our NO 4 Bus Service which serviced RESIDENTS AND HOTEL + B+B TOURISM. How does this ill considered action promote TOURISM and get the population using PUBLIC TRANSPORT.



Reference Number: BES 11/15

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: Proposed 11pm – 7am prohibition of Motor-Caravans, various seaside streets – Scarborough Borough

This record is produced in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

This form should be used to record:

- **EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and**
- **KEY decisions taken by an OFFICER (either alone or in consultation with an Executive Member)**

(One form per decision)

The following executive decision has been taken: -

- (i) The proposals to implement an 11pm until 7am prohibition of motor-caravans are implemented permanently at the following locations:
 - a. The Beach, Crescent Hill, The Crescent, Filey
 - b. The Parade (A174 Lythe Bank), Sandsend
 - c. North Promenade, East Terrace, Royal Crescent, Love Lane, North Terrace
 - d. Church Street, Whitby
 - e. Sandside, Foreshore Road, Esplanade, Scarborough
- (ii) The A174 Sandsend to Raithwaite, locations at Cayton Bay and Royal Albert Drive, Scarborough will become free of restrictions for overnight motor-caravan parking following the expiry of the recent temporary order
- (iii) A resident's motor caravan permit is introduced to allow residents of the streets concerned who own a motor caravan an exemption to the order
- (iv) An exemption for those non-residents displaying a blue badge is not included in the order
- (v) The proposals are monitored and any unforeseen issues are examined.

By whom: David Bowe, Corporate Director for Business and Environmental Services in consultation with Executive Members, County Councillors Chris Metcalfe and Don Mackenzie

On: 6 August 2015

Reasons for decision: -

To address a long standing issue in the towns in Scarborough Borough, concerning the proliferation of motor-caravans accessing the Borough's sea front streets for the purposes of overnight parking.

Details of any alternative options considered and rejected: -

--

Conflicts of Interest

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee in respect of that conflict.

Conflict	Dispensation?

Signed: David Bowe

Publication Date: 7 August 2015

Name: DAVID BOWE

Directorate - Business and Environmental Services

Note: This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).

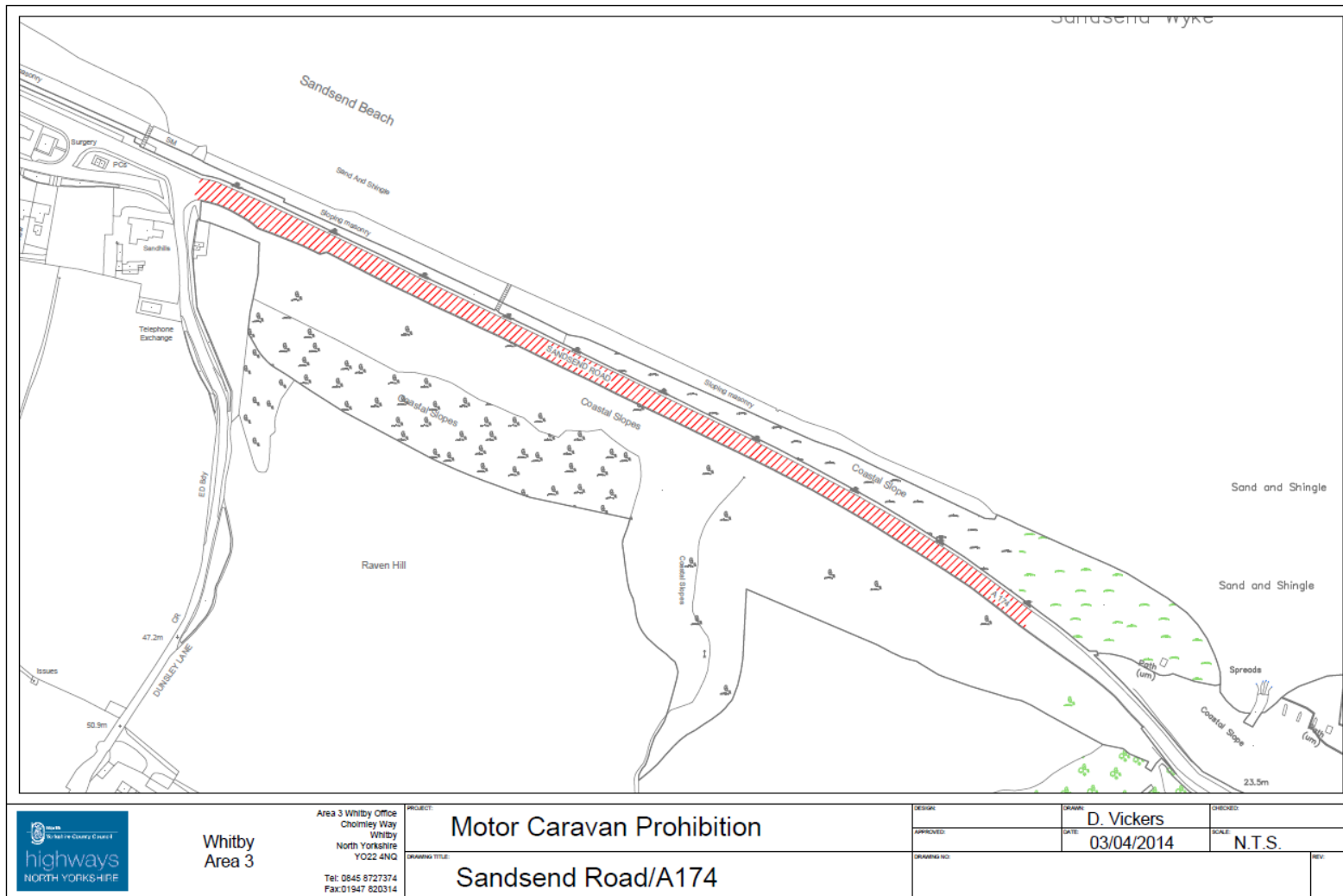
Contact for further information: area3.whitby@northyorks.gov.uk

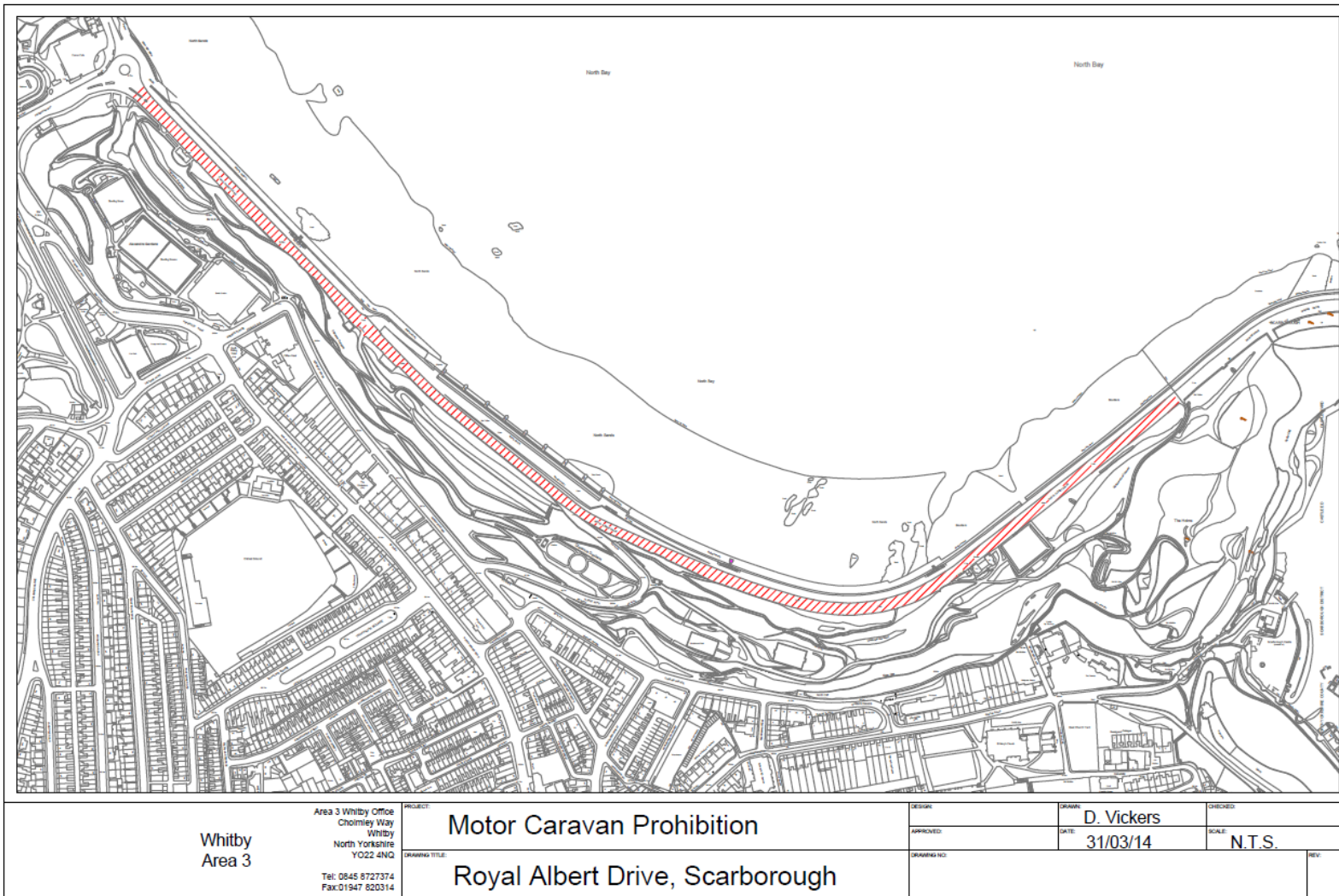
Contact for copy of report considered: area3.whitby@northyorks.gov.uk

To: The Senior Legal and Democratic Technical Support Officer, Legal and Democratic Services - for onward circulation to:

- All Members of the Council
- All Management Board
- All Management Board Secretaries
- All Senior Managers
- All Democratic Services Officers
- All Corporate Development Officers
- Senior Press Officer
- Communications Officer

Other coastal sites where it is likely future proposals will be considered prohibiting overnight parking for motor caravans	
1	Highway land behind Sandsend public toilets
2	Waterstead Lane, Whitby
3	Tin Ghaut, Church Street, Whitby (whilst it is the aim to propose restrictions here, there are particular issues with this site that are unresolved)
4	Green Lane, Whitby
5	Weydale Avenue Ryndle Crescent, Scarborough
6	Oriel Bank Oriel Crescent Garlands Hill, Scarborough
7	Scarborough South Cliff; Belvedere Road Holbeck Road Esplanade Crescent Holbeck Hill Holbeck Avenue Sea Cliff Road Wheatcroft Avenue
8	A170 East Ayton to West Ayton (laybys)
Other sites where it is likely future proposals will be considered prohibiting waiting or introducing a pedestrian zone	
9	Ellerby Lane and Hinderwell Lane, Runswick Bay
10	Whitby north promenade/sea wall (Cleveland Way) between A174 Sandsend Road and Whitby Pavilion (proposed pedestrian zone)
11	B1447 Hooks House to garage, Robin Hood's Bay
12	Mill Bank, Boggle Hole
13	Bridge Holm Lane, Boggle Hole
14	Cargate Hill, Filey
15	Crescent Hill, Filey
16	Rutland Street, Filey
17	The Crescent/Belle Vue Street, Filey
18	Sands Road, Hunmanby Gap



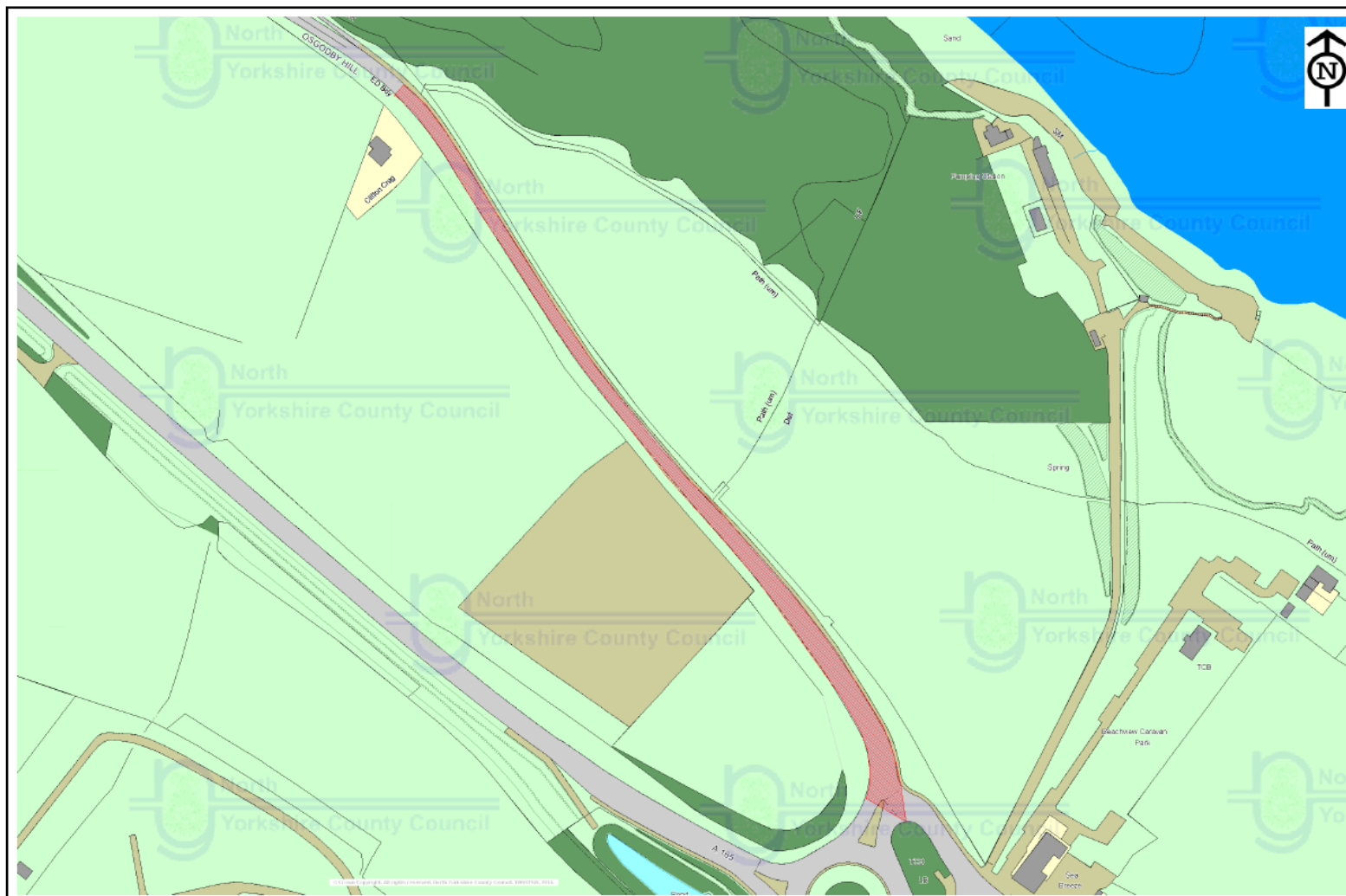



Whitby
Area 3

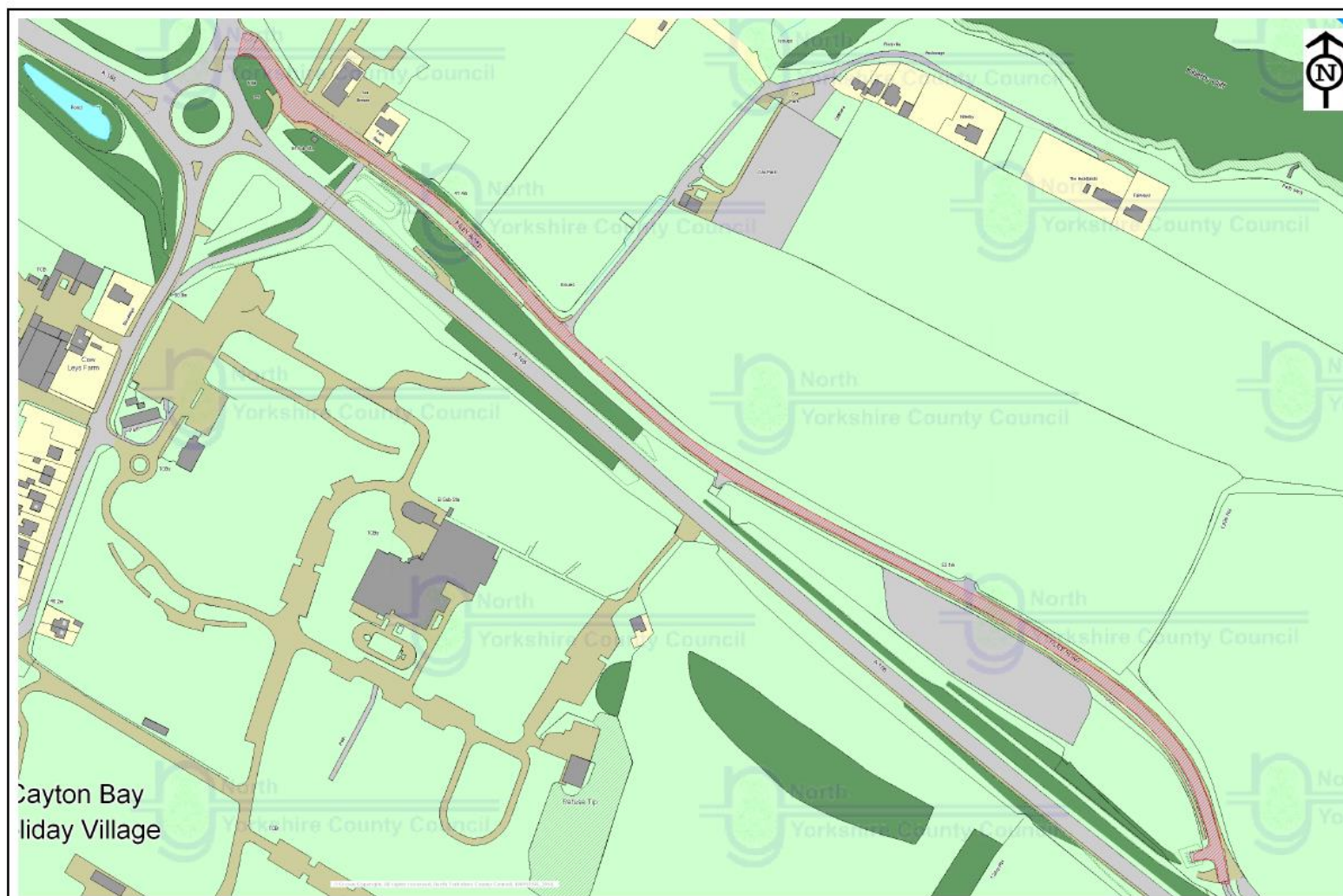
Area 3 Whitby Office
Chorley Way
Whitby
North Yorkshire
YO22 4NQ
Tel: 0845 8727374
Fax: 01947 820314

PROJECT: Motor Caravan Prohibition
DRAWING TITLE: Royal Albert Drive, Scarborough

DESIGN:	DRAWN: D. Vickers	CHECKED:
APPROVED:	DATE: 31/03/14	SCALE: N.T.S.
DRAWING NO:		REV:



	<p>Motor Caravan Prohibition - Osgodby Hill, Cayton Bay</p> <p>(c) Crown Copyright. North Yorkshire County Council 100017946 2014</p>	<p>Map scale: Scale 1/2417 Date: Date 3/4/2014 Created by: Grid Ref: Centre = 506496 E 484380 N</p>
---	--	--



Motor Caravan Prohibition - Filey Road, Cayton Bay

(c) Crown Copyright. North Yorkshire County Council 100017946 2014

Map scale: Scale 1/3275
 Date: Date 3/4/2014
 Created by:
 Grid Ref: Centre = 506883 E 483947 N

Date	Complainant	Points made	Officer comment
14/6/2021	Local resident Newholme, complaint to the parish council	<p data-bbox="595 229 1305 266">SANDESEND</p> <p data-bbox="595 266 1305 533">A Newholm resident who regularly walks to Sandsend, counted 37 camper vans early one morning, with rubbish strewn about, parked along the Sandsend parking area. He asked me what has happened to the 'No overnight parking' signs which used to be displayed there? I remember there used to be some signs like that. Could the signs be re-installed?</p>	<p data-bbox="1328 266 2033 533">The report to Business and Environmental Services Executive Members of 31 July 2015 (Appendix A) documents the reasons for the temporary prohibition of overnight parking by motor caravans between 2012-2015, and the resultant decision (Appendix B) not to continue with restrictions on those streets with no directly adjacent dwellings, this included the location at Sandsend.</p> <p data-bbox="1328 571 2033 738">At that time, officers noted in the report the likely knock-on effect of allowing restrictions to lapse on sea front streets that are not directly overlooked by dwellings, and that the situation will be monitored and any unforeseen issues examined.</p> <p data-bbox="1328 777 2033 938">This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for the on- street parking bays at A174 Sandsend.</p>
14/7/2022	Lythe Parish Council	<p data-bbox="595 948 1305 984">I write on behalf of Lythe Parish Council regarding:</p> <ul data-bbox="640 984 1305 1380" style="list-style-type: none"> <li data-bbox="640 984 1305 1145">• the overnight parking and people sleeping in motor homes/vans in the pay and display area on Sandsend Road and with the permission of Newholm and Dunsley Parish Council (this is in their Parish area). <li data-bbox="640 1150 1305 1246">• the overnight parking and people sleeping in motor homes/vans in the area behind Sandsend (South) public toilets. <li data-bbox="640 1251 1305 1380">• whether or not the area behind Sandsend (South) toilets is highway maintained and whether or not enforcement can take place by Scarborough Borough Council (SBC). I have 	<p data-bbox="1328 948 2033 1075">Lythe Parish Council have contacted Highways many times over the last few years regarding the ongoing issues arising in connection with overnight parking of motor caravans is noted.</p> <p data-bbox="1328 1114 2033 1380">The report to Business and Environmental Services Executive Members of 31 July 2015 (Appendix A) documents the reasons for the temporary prohibition of overnight parking by motor caravans between 2012-2015, and the resultant decision (Appendix B) to make permanent restrictions on those streets with directly adjacent dwellings, this included the location West Cliff, Whitby.</p>

Date	Complainant	Points made	Officer comment
		<p>contacted SBC and they are awaiting information/guidance from Highways.</p> <p>As the summer holidays approach, the number of motor homes parking/people sleeping in both areas is increasing and causing waste and parking issues for other vehicles who wish to visit Sandsend, with bays taken up by long-stay motor homes. Recently, at least 36 motor homes/vans have been counted parking overnight with people sleeping in them and the Council is advised that the area is promoted on various motor home websites.</p> <p>Whilst most of the motor home owners behave responsibly, the Parish Council have been told that some owners have been emptying human waste straight into the land drains which run onto the beach, or even just throwing it onto the verge or road, this was witnessed by one Councillor. In addition, whilst the Parish Council are aware that the bins are emptied on a daily basis during the summer, there is also the problem of added rubbish being put into the bins and overflowing when these are full, appreciate that this is a SBC responsibility.</p> <p>There is also an obvious monetary loss as an overnight stay at one of these locations costs just £6, this is if people decide to purchase ticket, a considerable number do not. The other area behind Sandsend (South) toilets does not cost anything.</p> <p>Historically, there were signs saying in place stating that overnight parking/sleeping was prohibited in the pay and display area, these were removed several</p>	<p>The decision was made not to continue with restrictions on those streets with no directly adjacent dwellings, this included the on-street pay and display parking bays at Sandsend. The area behind the toilets was not considered. At that time, officers noted in the report the likely knock-on effect of allowing restrictions to lapse on sea front streets that are not directly overlooked by dwellings, and that the situation should be monitored and any unforeseen issues examined.</p> <p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for the on-street parking bays at A174 Sandsend.</p> <p>By restricting the vehicles from parking overnight, it is anticipated the majority of the associated issues will be removed.</p> <p>The area of highway behind the toilets at Sandsend is not part of this proposal, as the surveys in early May 2024 did not demonstrate a significant number of motor caravans using it for overnight parking. However, this was likely because the on street parking was not full to capacity.</p> <p>Parking charges are applicable from 1 April to 31 October, 9am to 7pm. There are no overnight parking charges.</p> <p>It is anticipated that should the Experimental restriction be put on place on the on-street parking</p>

Date	Complainant	Points made	Officer comment
		<p>years ago as it was not deemed to be a built-up/residential area. Whilst there are signs in place behind Sandsend (South) toilets preventing overnight parking/sleeping, SBC needs guidance from Highways as to whether this is enforceable.</p> <p>The Council understands that in the West Cliff area of Whitby there are signs forbidding motor homes parking between the hours of 11pm - 7am. The Parish Council would ask that such signs are installed in these two areas to remove potential health hazards, reduction in revenue and that the situation enforced (by SBC).</p> <p>This is currently the issue causing most concern to our parishioners and is regularly mentioned by them. Would appreciate your views and advice on this as a matter of some urgency, either by email or telephone.</p>	<p>areas, the area behind the toilets will become more popular. Therefore, officers propose the area of highway behind the public toilets at Sandsend is monitored at the height of summer and further action proposed if necessary.</p>
4/7/2023	Local resident, Egton	<p>Whilst I have had no issue in the past with motorhomes parking alongside the road overnight in the parking bays on the A174 at Sandsend, it is now becoming a serious detriment with significant numbers taking advantage of the free overnight parking.</p> <p>Solutions would appear to be: A) a high overnight charge - that is enforced B) a TRO to stop overnight parking of motorhomes - that is enforced C) the closing of the public conveniences overnight ie between 9pm and 8am the toilets could be closed using a timer lock facility</p> <p>The number and type of vans using the layby is due to the location, view and access to the toilet facilities.</p> <p>A better system needs to be in place to either stop or take advantage of this increasing number of visitors.</p> <p>Having had a motorhome, I am aware of the responsibilities and code that should be abided by! And whilst I have no issue on the whole with free camping, the current situation is not ideal.</p>	<p>Any overnight provision/charges aimed at motor caravans would need to be considered by a county-wide parking review, planned to commence soon. This will examine off-street council car parks and on-street parking, and should be carried out in collaboration with Tourism, to consider whether the council should provide specific alternatives for the overnight parking of motor caravans.</p> <p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for the on-street parking bays at A174 Sandsend.</p>

Date	Complainant	Points made	Officer comment
1/7/2024	Local resident, Raithwaite	At the weekend I was walking my dog at Sandsend. I had to turn around on the footpath due to the anti social behaviour of people in motorcaravans. The footpath was being taken up by personal possessions and cooking equipment. I also witnessed a man urinating in public in the verge. I hope something can be done to manage the issue there as it is preventing local people using it for amenities.	This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for the on-street parking bays at A174 Sandsend. By restricting the vehicles from parking overnight, it is anticipated the majority of the associated issues will be removed.
		ROYAL ALBERT DRIVE, SCARBOROUGH NORTH BAY	
15/5/2023	Local resident	<p>[REDACTED] Why are caravans/motorhomes/camper vans and tents allowed to camp on the marine drive in Scarborough particularly noticeable over the Easter weekend when a group of 10 units and cars had set up camp on a grassed picnic area near the new toilet block on the marine drive and churned up the grass, removed the large boulders to gain access. Also, no payment made as not on the road. Can this illegal camping be stopped. And why had a chemical elson point been made at the new toilets, surely this gives the message that wilderness camping is allowed. At times, cars have difficulty finding parking places on the marine drive due to the camping vehicles being nose to tail. Having been a motorhome owner for many years in the past and only ever using proper sites we always had to comply with the 20ft rule which is considered a safe distance between units. What happens next You should receive a response by email within five working days."</p>	<p>It is acknowledged that the ongoing toleration of large numbers of motor caravans parking overnight along the length of the highway on Royal Albert Drive could encourage a belief amongst the public that overnight camping of all types is tolerated here.</p> <p>The council has placed boulders in an attempt to prevent vehicles accessing the grassed area.</p> <p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive. It does not cover the grassed area as this is not highway maintainable at public expense.</p>
5/10/2023	Scarborough North Bay resident	<p>There have been people living in a beaten-up old van on Royal Albert Drive throughout the holiday season and they still remain.</p> <p>The vehicle never moves so is clearly not parked: (photo supplied).</p> <p>It looks an eyesore and I have never noticed a parking ticket displayed.</p>	<p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive.</p>

Date	Complainant	Points made	Officer comment
9/10/2023	Local resident	<p>I would like to enquire as to how to current situation of totally shambolic parking of motor homes and other unsightly vehicles in which people are camping overnight has been allowed to develop on our historic Marine Drive and other key locations around Scarborough.</p> <p>This recent development is totally changing the character of the experience of walking and driving around the Marine Drive which has been a pleasurable experience ffor localsand tourists until this recent 'invasion ' of motor homes.</p> <p>I have lived in Scarborough for 62 years and come from a Scarborian family and it breaks my heart to see how things have deteriorated to the point where a walk around the Drive is like visiting an illegal campsite.</p> <p>I have been a caravanner for 25 years and in my opinion motor homes should be staying on sites designated for overnight camping not in a key Scarborough beauty spot.</p> <p>Over the summer friends and I have counted up to 65 to 75 motor homes on different evenings and this means that the situation is out of control.</p> <p>We've witnessed double and triple parking, massive motor homes taking up 5 parking spaces with generators running (with no parking ticket at all visible).</p>	<p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive.</p> <p>By restricting the vehicles from parking overnight, it is anticipated the majority of the associated issues will be removed.</p> <p>Parking Services regularly patrol the area an issue tickets to vehicles without a ticket, and those parked in more than one bay without a ticket for each bay. Blue badge holders are exempt from on-street charges.</p> <p>Any overnight provision/charges aimed at motor caravans would need to be considered by a county-wide parking review, planned to commence soon. This will examine off-street council car parks and on-street parking, and should be carried out in collaboration with Tourism, to consider whether the council should provide specific alternatives for the overnight parking of motor caravans.</p>

Date	Complainant	Points made	Officer comment
		<p>We've witnessed elderly people stepping out of motor homes chasing after dogs and then falling flat on their face in the middle of the road causing us to brake sharply which is an obvious safety issue.</p> <p>We've witnessed multiple times rubbish and camping paraphernalia left outside beside tacky motor homes and people sitting by the side of the busy road and also congregating on the Drive opposite their vans. The boundary rocks are being rearranged to accommodate these massive vehicles.</p> <p>We've never seen a parking inspector on the Marine Drive checking on all this and it's starting to feel like the 'Wild West ' down there.</p> <p>We've just come back from France and stayed in a comparable resort called Les Sables Olonnes, their seafront Drive has designated cycle, vehicle pedestrian lanes and the French accommodate their many motor home visitors in simple designated areas well away from scenic places so that they are not spoiling the view for everyone else. I could suggest that the Park & Ride carports would be suitable for this</p> <p>I would like to know the rationale behind this system as I'm very troubled by it and am prepared to take this issue further.</p> <p>Thanks and kind regards</p>	

Date	Complainant	Points made	Officer comment
		<p>I would think that campervan numbers have increased immensely since 2016..as caravanners we have definitely seen this especially,of course ,since the pandemic. This probably now means that local campsites are emptier and loosing business as everyone is parked in a focal North Yorkshire beauty spot (The Marine Drive).</p> <p>I would hope that when your upcoming review happens the unsustainability of multitudes of campervans parking on the Marine Drive will be recognised and alternative provision which insures that campervan owners have to come into town therefore increasing footfall for all local businesses will be considered.</p>	
10/11/2023	Local resident	<p>As a local resident, that has just been fined for returning to my vehicle 16 minutes "late" parked on Peasholm Drive, Scarborough.</p> <p>I felt motivated, given you seem very keen on fining local residents to ask why you allow the huge number of motorhomes to park around Royal Albert Drive and the Esplanade (near the clock tower)?</p> <p>On some weekends Royal Albert Drive has looked like the Dover ferry terminal with motorhomes parked bumper to bumper. Given the number of purpose built facilities and camp site businesses available for motorhomes in Scarborough, I am at a loss as to why it is acceptable for these visitors to park for weeks on end toll free. Blotting the wonderful landscape.</p> <p>Why is your lenient approach not carried over to local residents? Local residents get penalised twice, not</p>	<p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive.</p>

Date	Complainant	Points made	Officer comment
		<p>only do we have to pay for the privilege to park outside our houses, we get fined parking elsewhere as we go about our daily business, should we fail to follow the rules.</p> <p>Under the freedom of information act, I would like to request the number of motorhome vehicles issued with a parking fine on Royal Albert Drive, Scarborough between the following dates: January 2021 until October 2023. Please address your reply to this email address.</p>	
26/2/2024	Local resident	<p>Why dont you do something about the freeloading camper vans on royal albert drive?. your kidding yourselves if you think they bring money to scarborough all they bring is their muck and litter. People who come to this town to spend money cant even find a parking space, some of the vans are not visitors they live in them. if you think they are a good thing charge them to stop there. get some money back to help clean up their mess. do what scarborough does best, put some hoardings up to hide them from view.</p>	<p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive.</p>
9/3/2024	Local resident, email sent to all local councillors	<p>Hi Councillor</p> <p>Do you share my concern about the large and increasing number of camper vans parking on North Bay? Is the Council planning to stop sleeping in vehicles overnight there, set limits to numbers or impose realistic charges?</p> <p>It seems that the parking bays on North Bay have become an unofficial camper van site. Word has got</p>	<p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive.</p> <p>Any overnight provision/charges aimed at motor caravans would need to be considered by a county-wide parking review, planned to commence soon. This will examine off-street council car parks and on-street parking, and should be carried out in</p>

Date	Complainant	Points made	Officer comment
		<p>around that you can stay there for next to nothing. I notice the numbers are increasing massively year on year. One Friday evening in February I counted more than 30, so what will it be like in the summer? One 'van' occupied 4 parking spaces and most occupy more than one. I also suspect that the grass behind where they park is becoming one big toilet. Before we know it there will be no parking there for day visitors. I know others in Scarborough are concerned about the issue.</p> <p>I remember when I first came to Scarborough many years ago overnight sleeping around the bays was prohibited. That policy seems to have lapsed.</p> <p>Are you too concerned about the numbers of overnight camper vans and the impact they are having? Is the Council looking at the problem? I think such vehicles should be encouraged to use proper sites with appropriate facilities. At the very least, if they are to be allowed, overnight camper vans on North Bay should pay a sizeable overnight fee.</p> <p>I would welcome your response to the above.</p>	<p>collaboration with Tourism, to consider whether the council should provide specific alternatives for the overnight parking of motor caravans.</p>
9/4/2024	Name supplied but no address	<p>Dear North Yorkshire County Council</p> <p>RE: Breach of Planning Regulations (caravan site at Royal Albert Drive, Scarborough)</p> <p>North Yorkshire Council are permitting 100's of motorhomes to occupy car parking spaces at land at Royal Albert Drive, Scarborough on an overnight basis.</p>	<p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive. Comment from North Yorkshire Fire and Rescue indicates that whilst the motor caravans parking on seaside streets are not on an authorised campsite, the standards for authorised and informal campsites are that vehicles must park 6 metres apart, whether parked side by side or end to end, with no other</p>

Date	Complainant	Points made	Officer comment
		<p>Until very recently motorhomes generally stay on licensed caravan sites. However, a recent craze, driven by a Facebook group, has led to hundreds of motorhome owners searching for free “stopovers” with a flagrant disregard to the law.</p> <p>Paragraph 1 of the Caravan Site and Control of Development Act 1960 defines a “caravan site” as "land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction with land on which a caravan is so stationed".</p> <p>You will be aware that in accordance with paragraph 3 of the Caravan Sites and Control of Development Act 1960, that caravan sites in North Yorkshire must have planning permission and a site license issued by the local authority. In accordance with the Act, a site owned and operated by a local authority do not require a site license. However, they do require planning permission.</p> <p>Allowing motorhomes to stay overnight is materially different to a car park. The nature of the use is entirely different. People are preparing meals in their vehicles and going about other recreational activities, excreting waste etc. From Cornwall to Northumberland, car parks operators have been required to obtain planning permission to use car parking spaces for overnight recreational use. The case law is compelling. Indeed, I understand North Yorkshire Council have told private car park operators that they cannot allow motorhomes to park overnight.</p>	<p>vehicles or awnings within the 6 metre space, as this prevents the spread of fire.</p> <p>Model Standards for touring sites, under the Caravan sites and Control of Development Act, 1960 Section 5 is shown at Appendix I.</p> <p>The Fire Authority has received a number of complaints and attended incidents on the Marine Drive / Royal Albert Drive and has concerns with regard to fire spread. Most vehicles will have Liquefied Petroleum Gas on board. At night, the occupants of motor caravans are more risk as they are likely to be sleeping, but the risk is present at all times.</p> <p>By restricting the vehicles from parking overnight, it is anticipated the majority of the associated issues will be reduced or removed.</p>

Date	Complainant	Points made	Officer comment
		<p>I cannot find a Decision Notice for the Chemical Disposal Point (CDP) installed at Royal Albert Drive, Scarborough. It cannot be appropriately sized without knowing how many pitches it is proposed to serve. A CDP is designed to hold guests urine and feces. This is similar to a portaloos chemical. Whilst many visitors do use the CDP, there are many who empty their waste onto the parking spaces. Further there is no facility for grey waste. This is a basic requirement for commercial caravan sites. As such, shower water and washing up water is emptied on the parking spaces.</p> <p>Drink Driving The parking spaces are publicly accessible. The majority of visitors are drinking alcohol in their motorhomes. This may constitute a drink driving offense.</p> <p>Motorhomes must depart by 9am in order to avoid parking fines. It can be argued that this is promoting drink driving. It is generally accepted that these types of visitors are in higher spirits and are more likely to drink on an evening. 9am is far too early for many motorhome users to drive through the town after a night of drinking.</p> <p>This is not a Development Control matter. But it highlights the importance of the issue.</p> <p>Habitat Regulations Assessment It could be considered that the decision to allow 300+ overnight visitors to stay at North Bay is deemed 'development'. The proposed development is located 5.8km from a Special Protection Area (SPA). In</p>	<p>The CDP is intended as a facility for use by all motor caravans regardless of whether they remain on Royal Albert Drive for any length of time or not.</p> <p>Drink driving is not a matter for the council. If vehicles wish to stay after 9am they can pay for a parking ticket.</p>

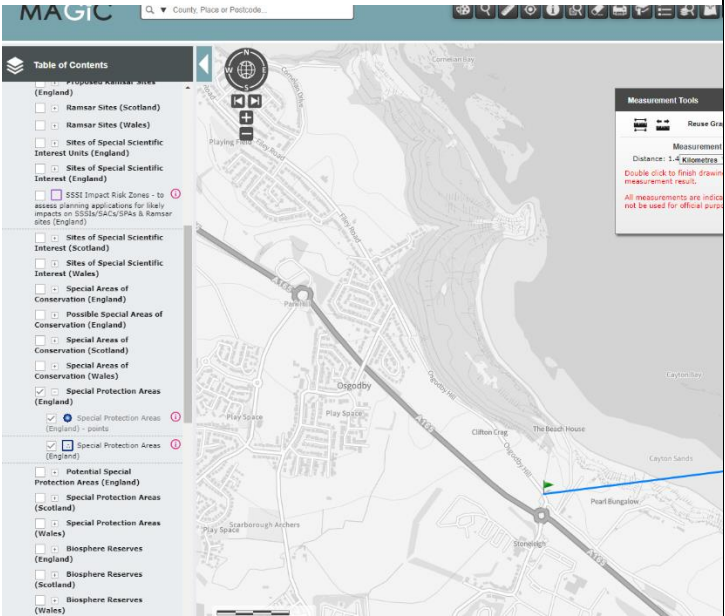
Date	Complainant	Points made	Officer comment
		<p>accordance with Paragraphs 75-77 of The Conservation of Habitats and Species Regulations Act 2017, if it is considered that the development is likely to have a detrimental effect on a protected site, then the development should not begin until you have received written approval from the local authority. The local authority may only approve the development after ascertaining that it will not adversely affect the integrity of the site. In accordance with the Act, "Development", refers to applies to GDPO and full planning approvals).</p> <p>I cannot find a Habitat Regulations Assessment for the proposal/development. Nor can I find a Regulations 77 Application. Nor can I see a response from Natural England in relation to any such application.</p> <p>I am requesting that you forward this email to your Ecologist for them to address and respond to accordingly.</p> <p>Fire Safety - Best practice The local authority has a duty to ensure motorhomes on caravan sites are 6 meters apart. Yet motorhomes at North Bay are generally spaced less than 1 meter apart. If this is not a Development Control matter, in the interest of fire safety could you forward this correspondence to your licensing department?</p> <p>Summary Royal Albert Drive, Scarborough has become an unlicensed, unregulated holiday park which is</p>	

Date	Complainant	Points made	Officer comment
		<p>undercutting legitimate, licensed caravan sites. The pitches do not adhere to any of the licensing conditions which other caravan sites have to adhere to. North Yorkshire Councils website states that caravan sites must be licensed in the interest of public health and references fire precautions.</p> <p>The use of car parking spaces as a caravan site of this scale and in this prominent location cannot be regarded as de minimis.</p> <p>Feces and urine are thrown on the tarmac. There is no grey waste facility.</p> <p>Could you investigate and provide me with a copy of the Decision Notice permitting the Chemical Disposal Point at North Bay?</p> <p>Could you investigate and provide me with a copy of the Decision Notice which permits the use of the car parking spaces at Royal Albert Drive, Scarborough to be used as a "caravan site", as defined by the CSACD Act 1960?</p> <p>In the interest of fire safety and best practice, does the local authority enforce a 6 meter spacing condition between motorhomes staying overnight at North Bay?</p> <p>Has the local authority take advice from the Chief Fire Officer with regards overnight motorhomes parking at North Bay?</p> <p>Given the fire safety aspect of this correspondence, I request that this matter is attended to as a matter of urgency.</p>	

Date	Complainant	Points made	Officer comment
		<p>I look forward to hearing from you.</p> <p>Kind regards</p>	
24/6/2024	North Yorkshire Police Neighbourhood policing team	<p>Anything else you can tell us that will help us identify the case or incident you want to update us about: <i>Anti social behaviour on Royal Albert Drive by at least 5 camper vans.</i></p> <p>What do you want to update or tell us?: <i>I can only presume that this matter has yet to be dealt with as the number of vans has increased to about 10, all are fully parked on the grass area.</i></p>	<p>It is acknowledged that the ongoing toleration of large numbers of motor caravans parking overnight along the length of the highway on Royal Albert Drive could encourage a belief amongst the public that overnight camping of all types is tolerated here.</p> <p>The council has placed boulders in an attempt to prevent vehicles accessing the grassed area.</p> <p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive. It does not cover the grassed area as this is not highway maintainable at public expense.</p>
25/6/2024	Scarborough Safer Neighbourhoods team	<p>I received complaints that there was several tents and mobile homes over the weekend on the grass area around Marine Drive Area. Complaints that occupants were leaving litter, having fires, general ASB etc and also just that the council should move them on as they are not allowed to camp there. I am aware that we have also had a report to the police from a parent to say his 6 Y/O child has suffered a burnt leg as result of hot coals being left in the grass from a high volume of bbquing activity on the grass area around the toilet block at North Bay Beach Scarborough</p>	<p>It is acknowledged that the ongoing toleration of large numbers of motor caravans parking overnight along the length of the highway on Royal Albert Drive could encourage a belief amongst the public that overnight camping of all types is tolerated here.</p> <p>The council has placed boulders in an attempt to prevent vehicles accessing the grassed area.</p> <p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for Royal Albert Drive. It does not cover the grassed area as this is not highway maintainable at public expense.</p>

Date	Complainant	Points made	Officer comment
		'OLD' A165, OSGODBY HILL & FILEY ROAD, CAYTON BAY	
23/10/2023	Local resident	<p>Please can something be done about the campervan/motorhome and caravan long stayers at Cayton Bay, including and especially the ones up at the end before the cycle track. Some have been here for months now, we have raised it with local Ward and Parish councillors but nothing is done and it all just looks like a traveller camp. We came back from a walk last week and one of the motorhomes had dogs loose running round outside, there was also a woman clearly sleeping in her car, she can't have had any toilet facilities in that so who knows what she does with waste and of course the long term caravan dweller, been there over a year, perhaps should pay council tax now? Please either introduce parking charges all the way along, that way at least NYC would get income to use on cleaning up or ban it and enforce it, but please do something, it's ruining the area and gets worse each year.</p>	<p>Any overnight provision/charges aimed at motor caravans would need to be considered by a county-wide parking review, planned to commence soon. This will examine off-street council car parks and on-street parking, and should be carried out in collaboration with Tourism, to consider whether the council should provide specific alternatives for the overnight parking of motor caravans.</p> <p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for the 'old' A165, Osgodby Hill and Filey Road.</p> <p>It is difficult morally to take action on a caravan when the overnight parking of motor caravans has been tolerated. However, should the proposed Experimental restrictions be approved, officers will take action forward to encourage the removal of the caravan.</p>
11/4/2024	Name supplied but no address	<p>Dear North Yorkshire County Council</p> <p>RE: Breach of Planning Regulations (caravan site at Osgodby Hill, Cayton, Scarborough)</p> <p>North Yorkshire Council are permitting dozens of motorhomes to occupy car parking spaces at land at Osgodby Hill, Cayton, Scarborough on an overnight basis.</p>	<p>This report recommends the restrictions to prohibit the overnight parking of motor caravans between the hours of 11pm and 7pm are reinstated on an Experimental basis for the 'old' A165, Osgodby Hill and Filey Road.</p> <p>Comment from North Yorkshire Fire and Rescue indicates that whilst the motor caravans parking on seaside streets are not on an authorised campsite, the standards for authorised and informal campsites are that vehicles must park 6 metres apart, whether</p>

Date	Complainant	Points made	Officer comment
		<p>Paragraph 1 of the Caravan Site and Control of Development Act 1960 defines a "caravan site" as "land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction with land on which a caravan is so stationed". This section of highway is therefore a caravan site.</p> <p>You will be aware that in accordance with paragraph 3 of the Caravan Sites and Control of Development Act 1960, that caravan sites in North Yorkshire must have planning permission and a site license issued by the local authority. In accordance with the Act, a site owned and operated by a local authority do not require a site license. However, they do require planning permission.</p> <p>Allowing motorhomes to stay overnight is materially different to a car park. The nature of the use is entirely different. People are preparing meals in their vehicles and going about other recreational activities, excreting waste etc. From Cornwall to Northumberland, car parks operators have been required to obtain planning permission to use car parking spaces for overnight recreational use. The case law is compelling. Indeed, I understand North Yorkshire Council have told private car park operators that they cannot allow motorhomes to park overnight.</p> <p>Habitat Regulations Assessment Faeces and urine are thrown on the tarmac and into drains. There is no chemical waste disposal facilities or grey waste facility. It can be assumed chemical</p>	<p>parked side by side or end to end, with no other vehicles or awnings within the 6 metre space, as this prevents the spread of fire.</p> <p>Model Standards for touring sites, under the Caravan sites and Control of Development Act, 1960 Section 5 is shown at Appendix I.</p> <p>The Fire Authority has received a number of complaints and attended incidents on the Marine Drive / Royal Albert Drive and has concerns with regard to fire spread. Most vehicles will have Liquefied Petroleum Gas on board. At night, the occupants of motor caravans are more risk as they are likely to be sleeping, but the risk is present at all times.</p> <p>By restricting the vehicles from parking overnight, it is anticipated the majority of the associated issues will be removed.</p>

Date	Complainant	Points made	Officer comment
		<p>waste is going out to sea and into the Special Protection Area (SPA).</p> <p>This impact of this overnight visitor pressure on habitats has not been assessed.</p> <p>Please see below plan.</p>  <p>The development is located 1.4km from Flamborough and Filey Coast Special Protection Area (SPA). In accordance with Paragraphs 75-77 of The Conservation of Habitats and Species Regulations Act 2017, if it is considered that the development is likely to have a detrimental effect on a protected site, then</p>	

Date	Complainant	Points made	Officer comment
		<p>the development should not begin until you have received written approval from the local authority. It is well established in law that decision-makers must adopt a strictly precautionary approach where protected habitats sites might be affected.</p> <p>Development can only be consented where the decision-maker is sure, meaning there is no reasonable scientific doubt, that it will not affect the integrity of the site. You are required by law to consult Natural England as part of the habitats assessment process. You should give Natural England's advice considerable weight, and to provide cogent reasons if they depart from it. The activity at High Street Car Park must cease immediately. I cannot find a Habitat Regulations Assessment for the proposal/development. Nor can I find a Regulations 77 Application. Nor can I see a response from Natural England in relation to any such application.</p> <p>I am requesting that you forward this email to your Ecologist for them to address and respond to accordingly.</p> <p>Fire Safety - Best practice The local authority has a duty to ensure motorhomes on caravan sites are 6 meters apart. Yet motorhomes at this location are generally spaced less than 1 meter apart. If this is not a Development Control matter, in the interest of fire safety could you forward this correspondence to your licensing department?</p> <p>Summary</p>	

Date	Complainant	Points made	Officer comment
		<p>This location has become an unlicensed, unregulated holiday park which is undercutting legitimate, licensed caravan sites. The pitches do not adhere to any of the licensing conditions which other caravan sites have to adhere to. North Yorkshire Councils website states that caravan sites must be licensed in the interest of public health and references fire precautions.</p> <p>The use of car parking spaces as a caravan site of this scale and in this prominent location cannot be regarded as de minimis.</p> <p>Could you confirm that you are investigate the use of land at Osgodby Hill Drive, Scarborough as a "caravan site", as defined by the CSACD Act 1960?</p> <p>In the interest of fire safety and best practice, does the local authority enforce a 6 meter spacing condition between motorhomes staying overnight at Osgodby Hill, Cayton?</p> <p>I look forward to hearing from you.</p> <p>Kind regards</p>	

 **[Redacted]**
Its not just that but they've moved boulders and parked on grass area behind drive with cars and caravans and which is now getting all churned up. 2 camper vans were taking up 10 spaces.
48 w Like Reply 7 

 **Scarborough Moan** ...
 31 Dec 2022 · 
Went around Marine drive this afternoon and there must have been 30 motor homes taking up at least 4 spaces each. Loads of cars looking for parking spaces as well. Should this be allowed?!!
   28 117 comments 1 share
 Like  Comment  Send  Share

 Like  Comment  Send  Share

 **Scarborough Moan** ...
Top contributor  4 Jun 2023 · 
Marine drive looking like a camp site with all motor homes taking 3-4 parking spaces up with curtains drawn how can locals park and holiday makers who come for day out
  84 167 comments

 **Scarborough Moan** ...
Top contributor  9 Apr 2023 · 
Just driven round marine drive and south bay I counted 128 camper van and motor homes and another 8 looking for a park I live in the old towns And pay for a permit on the off chance of finding a park there all taken up by day and wkend trippers trippers who can't get parked on the sea front it's getting impossible
   161 288 comments 3 shares
 Like  Comment  Send  Share

Scarborough Moan
Feb 2023 · 🌐



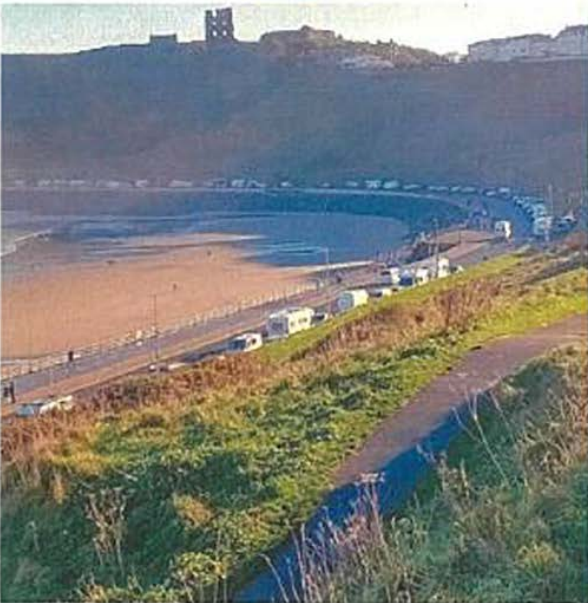
👍👎👤 250 311 comments 5 shares

👍 Like 💬 Comment 📧 Send ➦ Share

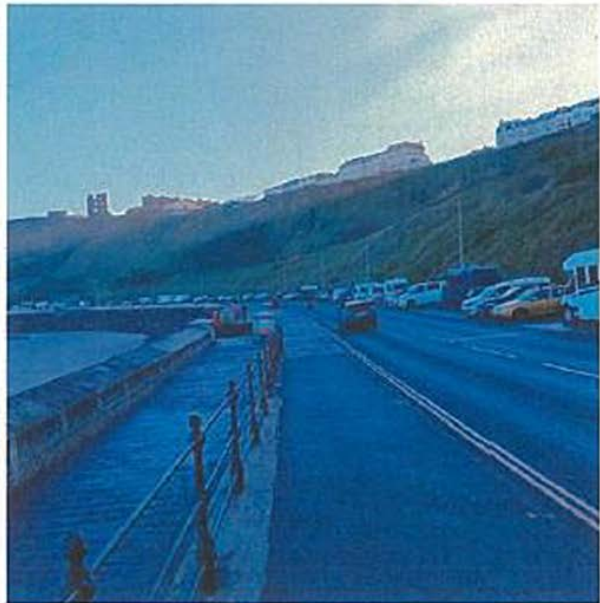
Scarborough Moan ⋮

Top contributor [redacted] · 12 Nov 2023 · 🌐

I see freeloaders out in force since parking charges ceased, a lot parked side ways on taking up 3 or 4 spaces leaving no where for day trippers to park 🙄 bring it on 💪 😁



👍👎👤 189



307 comments 2 shares



Scarborough Moan



Top [redacted] · 20 Jul 2023 · [globe icon]

This is laziness and will give a certain group of people a bad name(even if it wasn't them!)





Scarborough Moan



1 Jan 2022 · 🌐

Out and about today and had a quick drive home around marine drive to see at least 30 camper vans and that's just what we could be bother to count parked over 5 spaces each. Does the council just not police this after September. That's Nearly 100 spaces unavailable due to inconsiderate owners that other people could use, both locals and visitors. No wonder the que's were Crazy with people not able to park.

Sort it out Scarborough council 😡

👍👍👍 50

100 comments 1 share



Like



Comment



Send



Share



Scarborough Moan



Top contributor 28 Oct 2023 · 🌐

Will we be able to park on marine drive for nowt next month? Just wondering now we got a different council / edit this post a day later. Sorry I didn't realise asking a question about free winter parking on Marine Drive opens up Camper van gate 😞

👍👍 26

66 comments



Because us locals can't ever get parked down there as you lot take up three spaces all the time! Just to let you know there is several parking places around the town! For your camper vans! Oh wait you don't want to pay the fees for them! And also it's eye sore right along our coast! You lot think 🤔 you can pull up and park where you bloody like!!!

1 v Like Reply

28 👍👍

Parking Survey Photographs, 4-6 May 2024

Royal Albert Drive

Saturday 4th May 2024 Morning





Afternoon





Sunday 5th May 2024 Morning





Afternoon





Monday 6th May 2024 Morning







Afternoon





Sandsend

Saturday 4th May 2024 Morning









Afternoon











Sunday 5th May 2024 Morning







Afternoon





Monday 6th May 2024 Morning

Afternoon

Saturday 4th May 2024 Morning

Cayton Bay



Samsung Dual Camera
Shot with my Galaxy A404





Afternoon





Sunday 5th May 2024 Morning





Afternoon



Monday 6th May 2024 Morning





Afternoon





Dates: Sat 04 May, Sunday 05 May, Mon 06 May 2024
Start time: 07:00 End time: 10:00

Survey Type: Parking occupancy by vehicle type

Early May 2024 bank holiday coastal parking survey																a) + b) total number of vehicles observed to be staying overnight* whether for one night or two									
Location	a) Number of vehicles observed on 2 consecutive early mornings only, 4+5 or 5+6 May 2024							b) Number of vehicles observed on 3 consecutive early mornings, 3+4+5 May 2024							a) + b) total number of vehicles observed to be staying overnight* whether for one night or two							Total*			
	Car	Small camper	Motor	Touring	Motor cycle	Light van,	Minibus, Bus,	Heavy Goods	Car	Small camper	Motor	Touring	Motor cycle	Light van,	Minibus, Bus,	Heavy Goods	Car	Small camper	Motor	Touring	Motor cycle		Light van,	Minibus, Bus,	Heavy Goods
Sandsend toilets	3																3								3
Sandend P&D	2	4	7			5				3							2	4	0			5			21
Royal Albert Drive	1	6	2										1				1	6	3			2			132
Osgodby Hill	1	2	1							3							1	2	5						18
Old Filey Road	7	5	1			2				3	1						7	5	2	1		2			36
																	2	7	7			2			210
																	6	8	6	1		9			

*some vehicles observed in the early morning survey period may not have stayed overnight eg those belonging to surfers.

Royal Albert Drive, Scarborough

Saturday 20 July 2024









NORTH YORKSHIRE COUNCIL**Proposed Prohibition of Overnight Parking for Motor Caravans
between 11.00 pm and 7.00 am
Statement of Reasons for making an Experimental Traffic Regulation Order****Introduction**

There are a number of attractive sea-front streets in North Yorkshire which have not had overnight parking restrictions for motor caravans in place since a Temporary Order covering those streets expired in 2015. In the intervening nine years, with the increase in the interest in motor-caravanning, these streets have seen a proliferation in the amount of motor caravans parking and being occupied for a night/a number of nights on the highway. It is considered that the volume of motor caravans seeking access to these streets for this purpose has for some time been at a level that unacceptably detracts from the amenities of the streets for other highway users.

Whilst the motor caravans parking on seaside streets are not on an authorised campsite, the standards for authorised and informal campsites are that vehicles must park 6m apart, whether parked side by side or end to end, with no other vehicles in between, as this prevents the spread of fire. Most vehicles will have Liquified Petroleum Gas on board. At night, the occupants of motor caravans are likely to be at more risk as they are likely to be sleeping.

The Council is proposing to introduce the proposed Experimental Traffic Regulation Order to preserve and address the consequent loss of amenities and to prevent the likelihood of danger related to an outbreak of fire.

Legal Powers

The Council is seeking to make the Order pursuant to Section 1(1)(b) and (f) of the Road Traffic Regulation Act 1984, which allows a traffic authority to make a Traffic Regulation Order where it appears expedient to make it *"for preventing the likelihood of any such danger (to persons or other traffic using the road to which the order relates or any other road) arising"* and *"for preserving or improving the amenities of the area through which the road runs"* Section 122 of the 1984 Act also confers a duty on local authorities to exercise the functions contained on them by the Act 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, having regard to (inter alia) the effect on the amenities of any locality affected and, specifically, 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.

Loss of Amenities

The order refers to motor caravans and no other vehicle type as the above losses of amenity are most associated with this category of vehicle and, whilst it is appreciated that overnight camping may be undertaken in another category of vehicle, the combination of the fire risk described above and the amenity issues detailed below are significantly likely to be associated with motor-caravans and therefore it is considered that the overnight prohibition of this category of vehicle will improve the amenity and safety of the affected streets. The specific amenities that the Council considers are impacted upon by the overnight camping of motor caravans are the change in character of a street (from a public highway for all to enjoy, to a camping site), loss of view/sea view for other highway users, the blocking or partial blocking of the highway with camping accessories, noise, litter, extraneous light, and the depositing of waste into highway gullies.

The amenities of the area at the various locations will be improved by the proposed Order because during the evenings and into the night it is felt that all highway users should reasonably expect some respite from the parking of motor caravans, for sometimes long durations, in these popular affected sea side streets. Highway users should have the reasonable right to enjoy the amenities of the area without large vehicles inhabiting the streets adjacent to the sea.

The amenities are further detracted from through over-night parking of such vehicles due to the impact upon some public services (including road sweeping and waste emptying that overnight camping brings with it). Further to this, by restricting access at night it ensures that there is a turnover in the spaces taken by such vehicles and ensures they do not park for excessive durations at one location. There are many other locations in the local area where motor caravans may continue to park unrestricted on the publicly maintainable highway. The proposed prohibition would cover locations which, tend to attract large numbers of motor caravans. Overnight occupancy of motor caravans on the highway fundamentally alters the nature of the highway in these locations, with negative consequences.

The overnight occupancy of motor caravans generates noise, which can be anti-social for others.

The overnight occupancy of motor vehicles on the highway, in locations which do not include appropriate facilities for camping, can lead to inappropriate use of highway gullies and drains for the depositing of waste. The effective "camping" on the highway also generates larger volumes of refuse, beyond the normal amounts of litter generated by those visiting the location for a short-stay. This refuse can be deposited in public litter bins, a purpose for which they are not designed, and a seasonal high volume of waste has historically been experienced in the various locations, which can cause spillages onto the highway. Overnight occupancy of motor caravans can increase the level of lighting on the highway during the hours of darkness. This is undesirable because it can be distracting for highway users.

It is acknowledged that a 24 hour prohibition of motor caravans would be needed to ensure the amenities referred to above remain completely unaffected, however the Local Highway Authority does not wish to completely remove the opportunity for those with motor-caravans to access these locations.

Conclusion

The 1984 Act makes it clear that the "amenities" to be preserved or improved are those of the area through which the road(s) run(s) and the Council acknowledges that there is a balance to be struck between the interests of any class of road users and the interests of other classes of road users.. Not all amenities of the area would be preserved, as one of the amenities is the 24 hour use of the affected streets by motor caravans, which would be prevented by the Order. It is the amenities of the area which on balance are required to be considered as preserved or improved and the Council takes the view that the proposed Order would be expedient in achieving the purpose of "*for preventing the likelihood of any such danger (to persons or other traffic using the road to which the order relates or any other road) arising*" and "*preserving or improving the amenities of the area through which the road runs*" in line with the provisions of the 1984 Act.

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	Proposed experimental prohibition of overnight parking of motor caravans at Sandsend, Royal Albert Drive and Cayton Bay.
Officer(s) carrying out screening	Helen Watson
What are you proposing to do?	Introduce, on an experimental basis, a traffic regulation order which will prohibit the parking of motor caravans between the hours of 23:00 hours and 07:00, on certain seaside streets at Sandsend, Royal Albert Drive in Scarborough and Cayton Bay.
Why are you proposing this? What are the desired outcomes?	<p>A temporary TRO prohibiting the overnight parking of motor caravans at these seaside locations was allowed to expire in 2015. The report to Business and Environmental Services Executive Members meeting of 31 July 2015 gives details, but noted that <i>'should the streets be removed from the order, they may act as a 'honeypot' for motor caravanners seeking an unrestricted sea front location to camp overnight, thereby increasing the loss of amenity for other highway users in the location to a more significant level'</i>.</p> <p>Since 2015, the numbers of motor caravans parking overnight at these locations has steadily increased, with a corresponding rise in the number of complaints received from members of the public, councillors, and community safety about the negative effect on highway amenity.</p> <p>A parking survey carried out over 4, 5 and 6 May 2024 bank holiday weekend identified that up to 210 individual vehicles had parked overnight at these locations, whether for one night or two.</p> <p>The experimental scheme is being proposed to allow a trial of the effects of re-introducing the overnight restrictions, with the aim being to improve the amenity of the highway and reduce the number of complaints received.</p>
Does the proposal involve a significant commitment or removal of resources? Please give details.	<p>There will be the cost of advertising and making the Experimental traffic order, and erecting signage. The cost of this will be met from the Area 3 Signs and Lines budget.</p> <p>At present a significant number of complaints are received by Parking, Highways and Community Safety teams. The introduction of the experimental restrictions aims to reduce the incidence of behaviour on the highway that leads to complaints that then have to be dealt with by those teams.</p>

	There may be additional costs for out of hours enforcement when carried out between the hours of 23:00 and 07:00.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC'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 Equality rep 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	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No.		
Will the proposal have a significant effect on how other organisations operate? (e.g. 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:
Reason for decision	As this proposal is for an Experimental scheme, any unforeseen impacts on people with protected characteristics will come to light during the course of the experiment. A full Equalities Impact Assessment will be undertaken before recommending whether or not to make the Experimental scheme permanent.		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	26/07/2024		

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

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 the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Proposed experimental prohibition of overnight parking of motor caravans at Sandsend, Royal Albert Drive and Cayton Bay.
Brief description of proposal	Introduce, on an experimental basis, a traffic regulation order which will prohibit the parking of motor caravans between the hours of 23:00 hours and 07:00, on certain seaside streets at Sandsend, Royal Albert Drive in Scarborough and Cayton Bay.
Directorate	Environment
Service area	Highways & Transportation
Lead officer	Helen Watson
Names and roles of other people involved in carrying out the impact assessment	John Ward-Campbell Climate Change Business Partner
Date impact assessment started	2 May 2024

Options appraisal

Two other options were considered but dismissed for the main reasons that they would exacerbate the existing concerns around loss of amenity and contribute to fire risk.

- Charge for overnight parking
- Allow some overnight parking of motor caravans on the highway or elsewhere off the highway

Greater detail is given in the report.

Additionally, officers propose to give consideration to whether the continuous parking bays at Sandsend can be re-marked as individual bays.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

There will be the cost of advertising and making the Experimental traffic order, and erecting signage. The cost of this will be met from the Area 3 Signs and Lines budget; **neutral**.

At present a significant number of complaints are received by Parking, Highways, Community Safety and Fire Service teams. The introduction of the experimental restrictions aims to reduce the incidence of behaviour on the highway that leads to complaints or incidents that then have to be dealt with by those teams; **reduce costs**.

There may be additional costs for out of hours enforcement when carried out between the hours of 23:00 and 07:00; **increased cost**.

If the continuous parking bays at Sandsend were re-marked as individual bays, then this may lead to increased income as large vehicles taking up more than one parking space by day would need to purchase more than one ticket. However, experience suggests that individually marked bays will result in a slightly reduced number of vehicles being able to park than if the parking bay was left as one long continuous run. Marking out individual bays may deter some larger vehicles from parking by day. Many smaller motor caravans are small enough to fit into a standard sized bay. The budget effect is difficult to assess, but is not expected to result in significant change. **Cost neutral**.

<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>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (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"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>			<p>X</p>	<p>As the proposals prohibiting motor caravans between the hours of 23:00 and 07:00, some drivers of motor caravans that currently choose to stay in one seafront location for a number of days/nights will be more likely to move from place to place from day to night.</p>	<p>Mitigated to some extent by other vehicles not needing to drive further looking for alternative for parking spaces.</p>	
					<p>Some motor caravan drivers looking for places to park overnight may choose to travel to other locations nearby within the area or other locations further away instead. It is difficult to gauge whether this would have a positive, neutral or negative impact.</p>		
	<p>Emissions from construction</p>		<p>X</p>		<p>New signing /signposts will be required to indicate the restrictions</p>	<p>The smallest number of signs and posts will be used to indicate the restrictions whilst ensuring the restrictions</p>	

How will this proposal impact on the environment? 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.	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
					are clearly and legally signed.	
Emissions from running of buildings		X				
Emissions from data storage		X				
Other						
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic	X			We will reuse signs previously used in 2015 before purchasing any additional signs that may be needed.		
Reduce water consumption		x				
Minimise pollution (including air, land, water, light and noise)	X			There have been allegations made by complainants regarding; <ul style="list-style-type: none"> • 'Black' waste from motor caravans being poured down drains 		

<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>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (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"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<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>
				<ul style="list-style-type: none"> • 'Grey' waste being discharged onto the highway • People using verges as toilet areas • Cooking utensils and pots being washed in the sea 		
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		X				
<p>Enhance conservation and wildlife</p>		X				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>	X			<p>The proposals would preserve or improve the highway amenity of the areas in question. The tendency for areas to take on the characteristics of a campsite would be greatly reduced or removed.</p>		

<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>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (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"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<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>
Other (please state below)						

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

No

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.

This assessment finds that the proposals are not considered to have any significant effect on Climate Change factors.

Sign off section

This climate change impact assessment was completed by:

Name	Helen Watson
Job title	Improvement manager Area 3
Service area	Highways & Transportation
Directorate	Environment
Signature	Helen Watson
Completion date	4 July 2024

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 26/07/2024

MODEL STANDARDS FOR TOURING SITES
Caravan Sites and Control of Development Act, 1960 Section 5

- I. Section 5(6) of the Act provides that the Secretary of State may from time to time specify Model Standards with respect to the layout of, and the provision of facilities, services and equipment for, caravan sites or particular types of caravan site; and that in deciding what (if any) conditions to attach to a site licence the Local Authority shall have regard to any standards so specified. Under section 5(1)(c) such conditions may regulate the positions in which caravans are stationed for the purposes of human habitation, and the placing or erection at any time when caravans are so stationed, of structures and vehicles of any description whatsoever and of tents.
- II. Section 7(1) of the Act provides that on an appeal against any condition of a site licence a magistrates' court, if satisfied (having regard amongst other things to any standards specified by the Secretary of State under section 5(6)) that a condition is unduly burdensome, may vary or cancel the condition.
- III. Section 24, which empowers Local Authorities to provide caravan sites, provides, in subsection (2), that in exercising their powers under the section the Local Authority shall have regard to any standards that may have been specified by the Secretary of State under section 5(6) of the Act.
- IV. Section 8(2) of the Local Government (Miscellaneous Provisions) Act, 1982 inserted provisions into sections 5, 8 and 24 of the Caravan Sites and Control of Development Act 1960 requiring Local Authorities to consult Fire Authorities when exercising their powers under that Act in relation to the issuing of site licences for caravan sites and the provision of Local Authority caravan sites. The Local Authority is now required to consult the Fire Authority as to the extent to which any Model Standards relating to fire precautions are appropriate in relation to the site. If the Fire Authority considers that the standards specified are inappropriate in relation to the site, the Local Authority is required to consult them as to what conditions relating to fire precautions ought to be attached to the site licence. The Local Authority is also required to consult the Fire Authority before altering any condition in a site licence that relates to fire precautions or before themselves providing a caravan site.
- V. In pursuance of his powers under section 5(6) of the Act, the Secretary of State now specifies Model Standards for sites for touring caravans. Although these represent the standards normally to be expected, as a matter of good practice, the Secretary of State does not wish them to be applied to all sites, regardless of the economic and other implications for the site operators, people using the site and public amenity. They should be applied with due regard to the particular circumstances of each case, including the physical character of the site, any services or facilities that may already be available within convenient reach, and other local conditions including the kind of holidays which the site is designed to offer. Where usage is restricted to caravans equipped with their own toilet and washing facilities, communal toilet and washing facilities may not be necessary and lower standards than specified may be desirable in some locations for the avoidance of visually intrusive structures or installations.

- VI. These Model Standards are for sites used by touring caravans, by which is meant caravans which are not permanently placed on the site throughout the year or the holiday season. Where a site is used both for touring caravans and for static caravans, the Local Authority should judge whether to refer to the Revised 1977 Model Standards, or to the following Standards according to the predominant use of the site. For example, where static caravans predominate, application of the Revised Model Standards of 1977 will be appropriate. Account should, however, be taken of the fact that significant changes in the nature of the use might warrant the alteration of site licence conditions.

Density

1. Site density should not exceed 75 units (caravans or motor caravans) per hectare (30 units per acre) calculated on the basis of the usable area rather than the total site area (ie excluding crags, lakes, roads, communal services etc), provided that, where tent camping is also permitted, the maximum number of units stationed on the site at any one time should be reduced by the number of pitches occupied by main tents stationed for human habitation.
2. Where the number of units on the site is to be limited by condition, it may be appropriate to prescribe maxima by references to specified periods so as to permit up to 10 more units during such peak holiday periods as may be agreed between the site licensing authority and the licence holder without the provision of additional facilities, provided that:
 - ii The provisions of paragraph 1 above are complied with; and
 - iii The standards relating to spacing, as set out in paragraphs 3-5 below, are complied with.

Spacing

3. Every unit should be not less than 6 metres from any other unit in separate family occupation and not less than 3 metres should be permitted between units in any circumstances.
4. Vehicles and other ancillary equipment should be permitted within the 6 metres space between units in separate family occupation but, in order to restrict the spread of fire, there should always be 3 metres clear space within the 6 metres separation.
5. Emergency vehicles should be able to secure access at all times to within 90 metres of any unit on the site.

Drinking Water and Waste Water Disposal

6. There should be an adequate supply of drinking water. Each pitch on a site should be no further than 90 metres from a water tap. At each tap there should be a soakaway or gully.
7. Water waste disposal points should be provided so that each pitch is no further than 90 metres from a waste water disposal point. The appropriate Water Authority should be consulted about the arrangements for disposal of water likely to be contaminated.

Toilets: WC's and Chemical Closets

8. The scale of provision should be 1 WC and 1 urinal for men and 2 WC's for women per 30 pitches and their location should be to the satisfaction of the licensing authority. The pro rata scale can be reduced where sites have over 120 pitches (see also paragraph 9 below). Toilets may not be justified where sites have less than 10 pitches but on sites with between 10 and 30 pitches at least one WC and 1 urinal for men and 2 WC's for women should be provided.
9. Where the provision of WC's is not feasible or justified entry should be confined to units with their own toilets or chemical closets should be provided.

Disposal Point for Chemical Closets

10. Whether or not WC's are provided, a properly designed disposal point for the contents of chemical closets should be provided together with an adjacent adequate supply of water for cleansing containers. The method of disposal will need to be considered in the light of the particular circumstances and should be to the satisfaction of the Local Authority and the appropriate Water Authority. Where appropriate, the water supply should be clearly labelled as non-potable.

Washing Points

11. There should be a minimum of 4 wash basins supplied with water per 30 units: 2 each for men and women. They should be adjacent to the toilets.

Hot Water: Showers

12. Showers should not be obligatory on sites with less than 70 pitches. If showers are required, provision should be on the basis of 1 shower per 25 pitches and hot water should be available.

Disabled Persons

13. Particular consideration should be given to the needs of the disabled in provision made for water points, toilets, washing points and showers.

Electrical Installation

14. Where there is an electrical installation other than Electricity Board works and circuits subject to Regulations under section 60 of the Electricity Act 1947, it should be installed to the requirements of the Institution of Electrical Engineers' Regulations for Electrical Installations (the IEE Regulations) for the time being in force and, where appropriate to the standard acceptable for the Electricity (Overhead Lines) Regulations 1970. SI 1970 No.1355. Any installation should be maintained in such a way as to prevent danger as far as reasonably practicable and should be periodically inspected and tested by a competent person in accordance with the IEE Wiring Regulations.

Refuse Disposal

15. Adequate provision should be made for the storage, collection and disposal of refuse. (It is expected that site operators should normally be able to meet their responsibilities by making arrangements with the Local Authority).

Fire Precautions

16. No unit should be further than 90 metres from a fire point. At each fire point there should be two water (gas expelled) extinguishers each of 10 litres capacity and complying with British Standard 5423 : 1980 together with a means of raising the alarm in the event of fire (eg a manually operated sounder, gong or hand operated siren). All fire fighting equipment susceptible to damage by frost should be suitably protected.
17. Wherever there is a likelihood of fire spreading due to vegetation catching fire, suitable beaters, of the type used by the Forestry Commission, should also be provided at each fire point.
18. The fire points should be clearly marked and easily accessible. All firefighting equipment should be maintained in working order and kept available for use and for inspection by the licensing authority.
19. Each fire point should exhibit a conspicuous notice indicating the action to be taken in case of fire and the location of the nearest telephone. The notice should include the following:
 - ii Raise the alarm
 - iii Ensure the affected unit is evacuated
 - iiii Call the Fire Brigade (the nearest telephone is sited
 - iv If practicable, attack the fire using the firefighting equipment provided.

Liquefied Petroleum Gas

20. Arrangements for the storage of Liquefied Petroleum Gas (LPG) on the site should be in accordance with the current national Code of Practice and regulations.

Site Notices

21. A sign indicating the name of the site should be displayed at the site entrance.
22. Notices should be displayed prominently on the site indicating the action to be taken in the event of an emergency and show where the police, fire brigade, ambulance, and local doctors can be contacted, and the location of the nearest public telephone. Where practicable a telephone should be provided on the site and the full address of the site should be displayed near the telephone.
23. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.
24. At sites with overhead electric lines, warning notices should be displayed on the supports for the lines and at the site entrance. Where appropriate, these should warn against the danger of contact between the lines and the masts of yachts or dinghies.
25. A copy of the site licence with its conditions should be displayed prominently on the site.