

North Yorkshire Council

Environment Executive Members

01 November 2024

Review of Traffic Regulation Orders – Parking and Waiting Restrictions – HARROGATE, KNARESBOROUGH, PANNAL AND BURN BRIDGE

Report of the Assistant Director – Highways and Infrastructure

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Corporate Director of Environment and the Executive Member for Highways and Transportation of the outcome of the public consultation and for a decision to be taken on whether the no waiting at any time with exemptions on Hookstone Park, Harrogate and revocation of the no waiting at any time on Hookstone Park, Harrogate be introduced or set aside in light of the objections received.
- 1.2 Local Members' comments were sought at the time of advertising the Traffic Regulation Order (TRO) on 31 August 2023. The TRO process allows 21 days for formal objections to the proposed restrictions to be lodged with the local Highways office following public advertisement in the local press.

2.0 BACKGROUND

- 2.1 Hookstone Park, Harrogate functions primarily as a local access road to commercial units of varying use classes and has existing parking and waiting restrictions with some units providing off-street parking facilities. The Traffic Regulation Order is a retrospective introduction/ extension of waiting restrictions to regulate on street parking arrangements on industrial park following recent redevelopment of commercial premises which included changes to off-street parking arrangements.

3.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

- 3.1 Redevelopment of various commercial units on Hookstone Park was undertaken throughout 2022 following planning approval and the work was undertaken by Hornbeam Park Developments. The Council were alerted to extended double yellow lines (at any time restrictions) being installed by their contractors, alongside a number of alterations to footways to create new vehicular accesses to various units on the road in August 2022 and following investigations, Hornbeam Park Developments confirmed they had undertaken the work. Hornbeam Park Developments have submitted a retrospective application for the waiting restrictions, funding the TRO for the necessary changes to ensure the enabling TRO matches the length of restrictions on-street. The developer has also been instructed to undertake some civils work to the footways which were installed incorrectly (namely tactile paving arrangements) and which have since been completed.
- 3.2 Officers at NYC (formerly North Yorkshire County Council) assessing the planning applications raised no objections to the development during the planning process as broadly, the new units included parking provision for additional off-street parking for staff and customers.

4.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 4.1 The enabling TRO was advertised for public comment on 31 August 2023 as The North Yorkshire Council (Harrogate, Knaresborough, Pannal and Burn Bridge) (Parking and Waiting) (NO 48) Order 2023. The objection period closed 12 October 2023.
- 4.2 Parking and Waiting Restrictions were proposed on Hookstone Park, Harrogate (U1095) with exemptions including the revocation of Parking and Waiting Restrictions from two previous Orders are shown in Appendix A and were as follows: -
- Waiting prohibited at all times with exemptions:
 - Hookstone Park (U1095), Harrogate
 - Revocations:
 - North Yorkshire County Council (Harrogate, Knaresborough, Pannal and Burn Bridge) (Parking and Waiting) (No 16) Order 2013 – Schedule 1
 - North Yorkshire County Council (Harrogate, Knaresborough, Pannal and Burn Bridge) (Parking and Waiting) (No 35) Order 2019 – Schedule 1
- 4.3 The proposed parking and waiting restrictions received one objection Appendix B lists the objections/representations that have been received on this application and includes a detailed report in respect of each objection together with officer's comments and recommendation.
- 4.4 The consideration of objections to Traffic Regulation Orders (TROs) is a matter for the Executive and the role of the Area Committee has a consultative role on 'wide area impact TROs'. The consideration of objections has been delegated by the Executive to the Corporate Director of Environment in consultation with Environment Executive Members. The decision-making process relates to the provision and regulation of parking places both off and on the highway where an objection is received from any person or body entitled under the relevant statute. A 'wide area impact TRO' is classed as a proposal satisfying all of the three criteria set out below.
- The proposal affects more than one street or road and;
 - The proposal affects more than one community and;
 - The proposal is located within the ward of more than one Councillor.
- 4.5 The proposed TROs have not been defined as a 'wide area impact TRO' and therefore the Area Committee's views have not been sought.
- 4.6 Local Members comments were sought on the proposed measures in advance of the formal advertisement on 28 April 2023.

5.0 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 No alternative options will enable access to the redeveloped units off-street parking provision. It is considered that the proposed restrictions align with development work carried out in line with existing planning permissions and cover the frontages of units with dropped crossings enabling vehicles to access off-street parking.

6.0 FINANCIAL IMPLICATIONS

- 6.1 Funding was sourced from the developer retrospectively after the road marking were installed on site to the value of £3,000 (excluding VAT) so no Council budgets have been impacted in the making of this order.

7.0 LEGAL IMPLICATIONS

- 7.1 In the event that the Executive Member and Corporate Director of Environment resolve to follow the recommendations contained in this report, then in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the Council will be required to make the relevant Traffic Regulation Orders (with or without modifications) and publish a notice of making the Orders in the local press before the Order comes into operation. The Council will also be required to notify the objectors of its decision and the reasons for making that decision within 14 days of the Order being made.
- 7.2 Where an Order has been made (i.e. sealed), if any person wishes to question the validity of the Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the 1984 Act or of any instrument made under the 1984 Act has not been complied with, they may apply to the High Court within six weeks from the date on which the Order is made.
- 7.3 In recommending the implementation of the proposed TRO as advertised for the reasons set out in this Report, Officers consider that the Council is complying with its duty under Section 122 of the Road Traffic Regulation Act 1984 and has carried out the required balancing exercise in coming to that decision. Here's how the Council is complying with its duty under Section 122 and Section 122(2) of the Act:
- 7.4 **Securing Expeditious, Convenient, and Safe Movement of Traffic:**
The Council's primary objective is to ensure the efficient, convenient, and safe movement of both vehicular and pedestrian traffic, as required by Section 122. Installing parking and waiting restrictions helps prevent obstruction on roads, ensuring better traffic flow, and enhancing road safety for all users, including pedestrians.
- 7.5 **Considerations under Section 122(2):**
In addition to promoting safe and efficient traffic movement, the Council has given due regard to the matters specified in Section 122(2), striking a balance between this primary objective and other relevant factors:
- 7.6 **Maintaining Reasonable Access to Premises**
- The Council has ensured that, wherever parking and waiting restrictions are introduced, reasonable access to residential and commercial premises is maintained.
- 7.7 **Effect on Amenities and Heavy Commercial Vehicle Regulation**
- The installation of double yellow lines also helps regulate the use of roads by heavy commercial vehicles in residential and sensitive areas. By restricting parking and waiting on these selected areas, visual and noise impacts of heavy traffic are mitigated, helping protect the character of the locality.
- 7.8 **Facilitating Public Service Vehicles and Ensuring Safety**
- The Council recognizes the importance of ensuring the efficient movement of public service vehicles (e.g., buses, taxis), as well as the safety and convenience of passengers using or desiring to use these services. The proposed locations do not affect local bus routes, the introduction of these restrictions would aid in improving traffic flow and making the movement of taxis more efficient.
- 7.9 **Balancing Objectives**
- While the Council's primary goal is to secure the safe and convenient movement of vehicular traffic, it also understands that this objective must sometimes yield to the factors set out in Section 122(2).
 - By considering these factors in its decision to install parking and waiting restrictions, the Council achieves a balance between promoting traffic flow and addressing other

community, environmental, and safety concerns. This ensures that the measures taken align with the overarching public interest, providing a safer and more accessible road network while minimizing negative impacts on the local community.

- In accordance with the protocol for Executive Member reports, the Local Elected Member will be provided with a copy of this report and be invited to the meeting on the 01 November 2024.

8.0 PUBLIC ENQUIRY IMPLICATIONS

- 8.1 Regulation 9 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 outlines the circumstances in which the Council would be required to hold a Public Inquiry. The Council has satisfied its duty and determined that the proposals do not include any restrictions on loading and unloading, therefore paragraph 3 of Regulation 9 does not apply in this regard. There was only one objection received, therefore the Council considers that the holding of a public inquiry would not be proportionate in terms of timescale, officer time and the costs to public resources in this case.

9.0 EQUALITIES IMPLICATIONS

- 9.1 Consideration has been given to the potential for any equality impacts arising from the recommendation. It is the view of officers that the recommendation does not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010. A screening form has been included in Appendix C.

10.0 CLIMATE CHANGE IMPLICATIONS

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

11.0 REASONS FOR RECOMMENDATIONS

- 11.1 Recommendation i) – The reason for this recommendation is the proposed parking and waiting restrictions on Hookstone Park, Harrogate will regulate parking on the highway and will enable vehicles to access off-street parking areas in the redeveloped units.

12.0 RECOMMENDATION

- 12.1 It is recommended that the Corporate Director of Environment, in consultation with the Executive Member for Highways and Transportation approves the parking and waiting restrictions at Hookstone Park, Harrogate be introduced as proposed and the impact upon on-street parking opportunity is noted.

APPENDICES:

Appendix A – Location Plan

Appendix B – Schedule of the representations where objections have been received and subsequent officer recommendations.

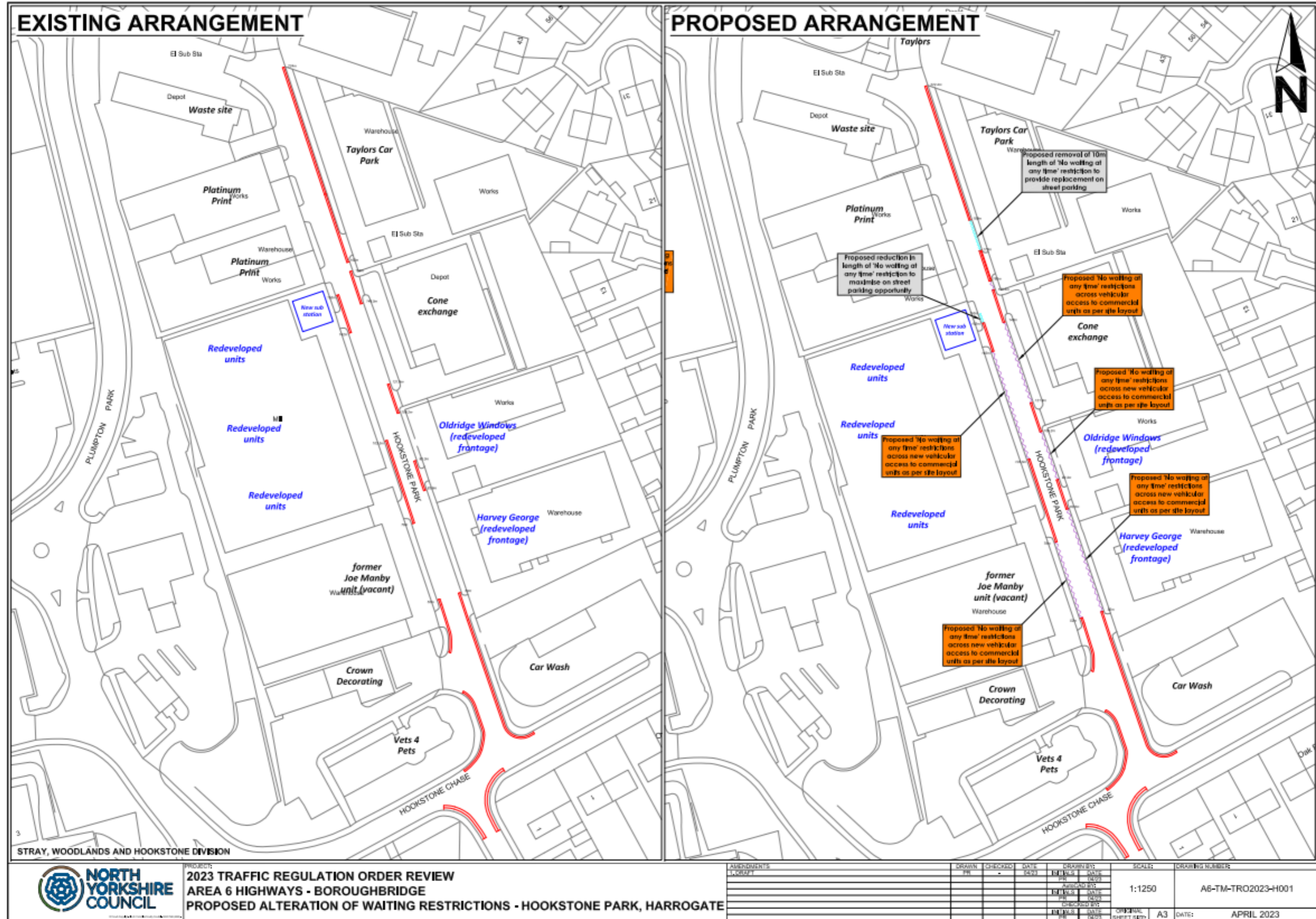
Appendix C – Equality impact assessment

Appendix D – Environmental impact assessment

Barrie Mason
Assistant Director – Highways and Infrastructure
County Hall
Northallerton
01 November 2024

Report Author – Heather Yendall – Improvement Manager
Presenter of Report – Heather Yendall – Improvement Manager

Location Plan



TRO OBJECTIONS – PARKING AND WAITING 48 ORDER 2023

Parking and Waiting 48 Order 2023 Advertised 31 August 2023 Objection period closed 12 October 2023	
Hookstone Park, Harrogate (A6-TM-TRO2023-H011) Retrospective introduction/ extension of waiting restrictions to regulate on street parking arrangements on industrial park following recent redevelopment of commercial premises which included changes to off-street parking arrangements. Redevelopment of various commercial units on Hookstone Park was undertaken throughout 2022 following planning approval and the work was undertaken by Hornbeam Park Developments. The Council were alerted to extended double yellow lines (at any time restrictions) being installed by their contractors, alongside a number of alterations to footways to create new vehicular accesses to various units on the road in August 2022 and following investigations, Hornbeam Park Developments confirmed they had undertaken the work. Hornbeam Park Developments have submitted a retrospective application for the waiting restrictions, funding the TRO for the necessary changes to ensure the enabling TRO matches the length of restrictions on-street. The developer has also been instructed to undertake some civils work to the footways which were installed incorrectly (namely tactile paving arrangements) and which have since been completed. Officers at NYCC assessing the planning applications raised no objections to the development during the planning process as broadly, the new units included parking provision for additional off-street parking for staff and customers.	
Objector Name & comments	Officer comments and recommendations
Business owner on Hookstone Park Opposed to the introduction of/ illegal installation of double yellow line 'No waiting at any time' restrictions along Hookstone Park. Frustrated that the proposals to remove on-street parking were not fully assessed and on-street parking for other road users maintained wherever possible. Further aggrieved that the developer was not instructed to remove all illegal markings or the Council as highway authority would not remove the restrictions. Vehicles now regularly parking alongside the yellow lines on the footway, astride footways and obstructing passage for pedestrians. Believes that the yellow line restrictions could be removed allowing delivery vehicles and more to park on the carriageway and not obstruct or block in those motorists parked off-highway in the new commercial units. Believes that the layout of the off-street units should not have been permitted and should remain parallel with the road meaning accesses	The waiting restrictions, whilst installed by the developer illegally and without any consultation, align with the off-highway parking arrangements implemented in line with planning approvals issued by the former Harrogate Borough Council, including the alignment/ position of off-street parking bays. Officers have some sympathy with the objector as the alterations to the footways, off-street parking areas and installation of yellow lines throughout the business park has resulted in the loss of approximately 17 spaces that could be used by staff, visitors and the general public. The redevelopments have increased off-street parking capacity which will no doubt have resulted in staff parking in car parks rather than utilising the on-street spaces. Officers further liaised with the objector when the changes were brought to light and agreed to create two additional on-street spaces on the east side of Hookstone Park which has been included within the proposal replacing a short 10m length of double yellow lines. The restrictions to regulate parking on the highway and the redeveloped units do afford

would only be required at certain intervals and more on-street parking could be maintained.

additional off-highway parking for those businesses. The double yellow line restrictions apply across the frontages of all units where dropped crossings are installed to enable vehicles to access the off-street parking areas.

The restrictions apply to both the carriageway and footway and if the enabling TRO is subsequently approved and sealed, enforcement action can be taken against any vehicles parked on either the carriageway or footway.

Typical changes in the parking arrangement can be seen below (Google 2018 Street View and October 2023 photos on site)

Recommendation That the waiting restrictions be introduced as proposed.

PARKING LAYOUT JUNE 2018 (GOOGLE SV)

PARKING LAYOUT OCTOBER 2023





EQUALITIES IMPACT ASSESSMENT

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 and Transportation		
Proposal being screened	The North Yorkshire Council (Harrogate, Knaresborough, Pannal and Burn Bridge) (Parking And Waiting) (No 48) Order 2023		
Officer(s) carrying out screening	Heather Yendall		
What are you proposing to do?	Install parking and waiting restrictions at Hookstone Park, Harrogate		
Why are you proposing this? What are the desired outcomes?	Retrospective introduction/ extension of waiting restrictions to regulate on street parking arrangements on industrial park following recent redevelopment of commercial premises which included changes to off-street parking arrangements.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No, there is external funding available to support the installation of these measures.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics: As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	

Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	No			
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not relevant or proportionate:	<input type="checkbox"/>	Continue to full EIA:	<input type="checkbox"/>
Reason for decision	The reason for this recommendation is the proposed parking and waiting restrictions on Hookstone Park, Harrogate will regulate parking on the highway and will enable vehicles to access off-street parking areas in the redeveloped units.			
Signed (Assistant Director or equivalent)				
Date				

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 in the summary section of the form below.

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

Title of proposal	Proposed waiting restrictions
Brief description of proposal	The North Yorkshire Council (Harrogate, Knaresborough, Pannal and Burn Bridge) (Parking And Waiting) (No 48) Order 2023
Directorate	Environment
Service area	Highways and Transportation
Lead officer	Heather Yendall
Names and roles of other people involved in carrying out the impact assessment	None
Date impact assessment started	21/10/2024

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

None. It is considered that the proposed restrictions align with development work carried out in line with existing planning permissions and cover the frontages of units with dropped crossings enabling vehicles to access off-street parking

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

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The cost of advertising the Traffic Regulation Order and installing the road markings will be funded from the local highways (Signs Lines and TROs) budget.

<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.</p>	<p>Positive impact (Place a X in the box below</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below</p>	<p>Explain why will it have this effect and over what timescale? 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>	Emissions from travel		x			
	Emissions from construction		x			
	Emissions from running of buildings		x			
	Other		x			
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>			x			
<p>Reduce water consumption</p>			x			
<p>Minimise pollution (including air, land, water, light and noise)</p>			x			

<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.</p>	<p>Positive impact (Place a X in the box below)</p>	<p>No impact (Place a X in the box below where)</p>	<p>Negative impact (Place a X in the box below)</p>	<p>Explain why will it have this effect and over what timescale? 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>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		<p>x</p>				
<p>Enhance conservation and wildlife</p>		<p>x</p>				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		<p>x</p>				
<p>Other (please state below)</p>		<p>x</p>				

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

N/A

Summary:

The proposed waiting restrictions order will require the installation of new road markings (Double yellow lines) but will not otherwise have an impact on the Environment.

Sign off section.

This climate change impact assessment was completed by:

Name	Heather Yendall
Job title	Improvement Manager
Service area	Highways and Transportation
Directorate	Environment
Signature	H Yendall
Completion date	21/10/2024

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 24/10/2024