

North Yorkshire Council

Scarborough and Whitby Area Committee

2 March 2026

Results of the Experimental Traffic Regulation Order (ETRO) prohibiting overnight motor caravan parking on various streets, including at Sandsend, Scarborough and Cayton Bay and the proposals for a permanent Traffic Regulation Order

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

- 1.1 To report on the outcomes of the Experimental Traffic Regulation Order to prohibit the overnight parking of motor caravans at 2 locations on the East Coast and to seek the views of the Scarborough and Whitby Area Committee on the proposal to introduce a permanent traffic regulation order prohibiting the overnight parking of motor caravans in Sandsend and North Bay in Scarborough, between the hours of 11pm and 7am.

2.0 SUMMARY

- 2.1 Following the introduction of the Experimental Traffic Regulation Order (ETRO) in November 2024 to prohibit the overnight parking of motor caravans on North Bay in Scarborough and on the A174 immediately south of Sandsend village, North Yorkshire Council has been undertaking a consultation on the impacts of the prohibitions and needs to determine the way forward in advance of the ETRO expiring in May 2026.
- 2.2 The matter will be determined at the meeting of the Corporate Director of Environment and the Executive Member for Highways and Transportation planned for April 2026. In order for this meeting to gain as full an understanding of the effects of the ETRO, the views of this committee are being sought.
- 2.3 Members will note that the original ETRO included a third site at Cayton Bay south of Scarborough. Unfortunately, due to episodes of vandalism to the signing, we were unable to obtain an appropriate period with the regulation in place to have a meaningful trial of the prohibition here.

3.0 BACKGROUND

- 3.1 There have been previous measures introduced to deal with local residents' loss of amenity and 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
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
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.

- 3.5 The ETRO came into force on 25 November 2024 at North Bay, Scarborough and on the A174 near Sandsend north of Whitby. The reasons for the ETRO were listed in the original Report as:
- 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.
 - For preserving or improving the amenities of the area through which the road runs
- 3.6 The reasons behind introducing the ETRO were laid out in Section 4 of the Report to the Executive Members 09 August 2024, and these are repeated below for ease of reference.
- 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 continued to be made to various council departments and to the police.
 - 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.
 - The parking beat survey findings showed that across all three locations, 210 vehicles were assumed to have stayed overnight, whether for one night or two.
 - 76 (36%) of the overnighing vehicles were easily identifiable as motor caravans. 78 (37%) appeared to be small campervans and a further 29 (14%) appeared to be vans.

- 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.
- Where there are a 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.
- The local neighbourhood policing team had received many 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 have related to those staying overnight in the motor caravans.

3.7 Other options were considered and ruled out due to the following reasons:

3.8 Mark individual parking bays at Sandsend.

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.

3.9 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.

3.10 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 investigate whether this is a viable option.

3.11 Charge for overnight parking

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.

3.12 There are many campsites available in the local area and the highway authority does not wish to compete with or harm these local businesses.

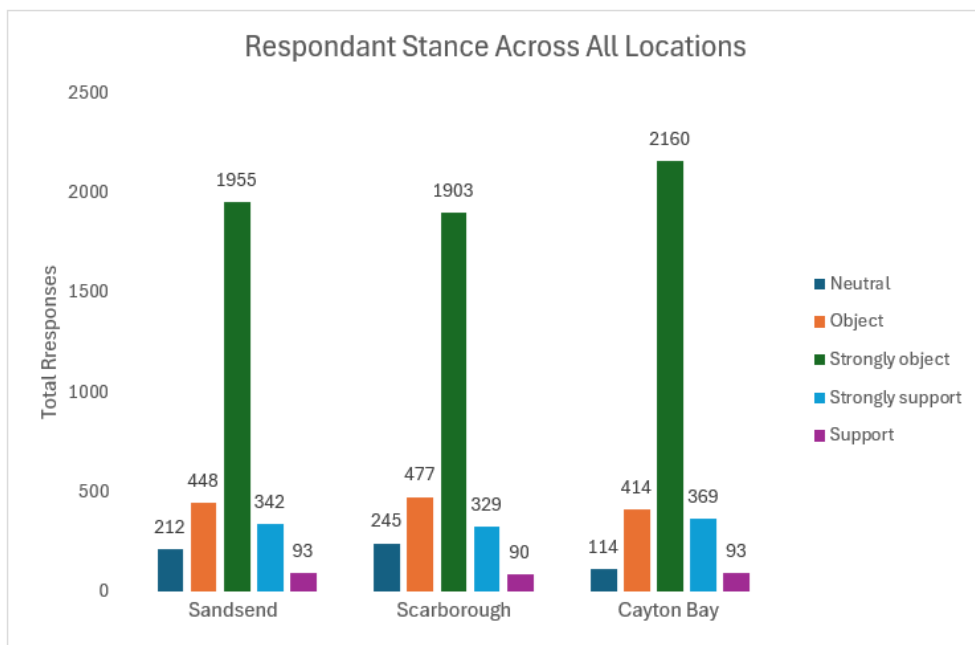
3.13 Given the fire safety issues, overnight provision for motor caravans on the highway could only be made if parking in the 3 bays either side of a motor caravan were prohibited. It is not possible to regulate or enforce this.

3.14 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.

- 3.15 Allow some overnight parking of motor caravans on the highway or elsewhere off the highway. 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.
- 3.16 Any overnight provision/charges aimed at motor caravans would need to be considered in the upcoming parking review. This will examine off-street council car parks and on-street parking and will 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.
- 3.17 The consultation was predominantly online with written submissions also being collated by the local Highways Office in Whitby.
- 3.18 At the time of writing this report there had been over 3,000 responses to the consultation and these have been analysed with reference to the reasons stated above in Appendix A1 and A2.

4.0 CURRENT SITUATION

- 4.1 The current ETRO will continue until 25 May 2026. Before then the Local Highway Authority will need to determine what, to replace the ETRO with, if anything.
- 4.2 With over 3,000 responses to the consultation attached in Appendix A1 and A2, there are many subject matters covered which are outside the scope of the ETRO and the decision whether it should be made permanent. Plus, there are options that NYC as the Local Highway Authority has already discounted as explained in section 3 above. North Yorkshire Council is planning a wide ranging review of parking in Scarborough in the across the rest of this year as part of the Local Area Action Plan (LAAP) approach contained in the Council's recently adopted Parking Principles document. With this also being rolled out to Whitby and Filey. The LAAP will give further consideration to the issues raised by the contributors to the consultation.
- 4.3 However, it is clear that there was an overwhelming response to the consultation objecting to the ETRO as shown below in Fig 1.



- 4.4 As mentioned above we were unable to commence the ETRO in Cayton Bay due to persistent external factors, but it is seen above that over 2,500 people objected to it.
- 4.5 It may also be interesting to note that over 2/3rds of the respondents declared that they were motorhome owners, and of these 90% of them objected, or strongly objected to the ETRO. A lot of the comments alongside these objections made reference to wanting to return to the locations to continue parking overnight.
- 4.6 A significant number of respondents also mentioned alterations to the arrangements to make it more manageable, acceptable or income generating. These included marking out larger bays, charging for overnight parking, providing more facilities. In effect changing the parking areas to more formal camping areas for the motorhome users. These are things we have already discounted as detailed earlier in this report; however, they can be reconsidered as part of the parking review mentioned earlier in this report.
- 4.7 The main reason behind the ETRO was to return the areas to places for cars to park, rather than for long-term motorhome camping along with all the ancillary activities of motorhome users in and around their motorhome.
- 4.8 An analysis of the comments made showed:
- For responses generally objecting to the Experimental Traffic Regulation Order:
 - i. 2049 make reference to motorhome users supporting local businesses and the economy,
 - ii. 1149 suggested implementing a small fee (typically £5 to £15 per night) with a number mentioning CAMpRA,
 - iii. 937 respondents do not believe that motorhomes are unsightly or cause an increase in litter, and
 - iv. 497 make reference to health, wellbeing, community or family.
 - For responses generally supporting the Experimental Traffic Regulation Order:
 - i. 307 make reference to supporting the local economy,
 - ii. 201 suggest implementing some kind of fee to park motorhomes overnight, often as a means to reduce the number of motorhomes parking during the night,
 - iii. 196 reference litter, mess or motorhomes being unsightly and
 - iv. 52 responses make reference to health, wellbeing community or family.
 - For responses neutral to the Experimental Traffic Regulation Order or have their stance left blank:
 - i. 97 make reference to supporting local businesses and the economy,
 - ii. 65 reference implementing a fee to park motorhomes overnight,
 - iii. 41 reference litter or mess and
 - iv. 19 make reference to health, wellbeing community or family
- 4.9 During the summer of 2025 our Civil Enforcement Officers visited North Bay 16 times and on 5 occasions found no motorhomes parking during the restricted times. However, on 11 occasions, the Civil Enforcement Officers found several parked Motorhomes during the period of the prohibition. A total of 25 PCNs were issued. At Sandsend, the Civil Enforcement Officers patrolled a total of 130 times and issued 30 PCNs. Given the number of vehicles seen parked at these locations during 2024 and the number of PCNs issued shows the prohibition is, in the main, being observed.

5.0 FINANCIAL IMPLICATIONS

- 5.1 As this report is only seeking the views of the ACC, then there are no financial implications involved with this particular decision. Going forward, regardless of the final decision, enforcement would still be carried out in this area so there are no significant financial implications associated with the final decision.

6.0 LEGAL IMPLICATIONS

- 6.1 The maintenance of highways, promotion of road safety and the management of traffic are statutory duties for the Council.
- 6.2 The Council has a statutory duty to communicate and consult specific customers for highway improvement schemes where the Council intends to implement Traffic Regulation Orders (restricting access, waiting or parking) under the Road Traffic Regulation Act 1984 (RTRA 1984)
- 6.3 The Council is seeking to make an 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.
- 6.4 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.
- 6.5 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.
- 6.6 The Council has carefully considered the balance required to be struck by Section 122 of the RTRA 1984 and is of the view that a 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.
- 6.7 There is other legislation that can be used to address some of the amenity issues that are experienced, which are as follows: -
- 6.8 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.
- 6.9 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.
- 6.10 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.
- 6.11 Officers consider 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.

- 6.12 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.

7.0 EQUALITIES IMPLICATIONS

- 7.1 Consideration has been given to the potential for any equality impacts arising from the recommendation.
- 7.2 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 B.

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 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 C. It is the view of officers that this recommendation does not have a significant adverse impact on any climate change factors.

9.0 RISK MANAGEMENT IMPLICATIONS

- 9.1 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 vehicles or awnings within the six-metre space, as this prevents the spread of fire.
- 9.2 Model Standards for touring sites, under the Caravan sites and Control of Development Act, 1960 Section 5 is shown at Appendix D.
- 9.3 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 at more risk as they are likely to be sleeping, but the risk is present at all times.
- 9.4 North Yorkshire Fire and rescue's 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.'
- 9.5 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 (e.g. 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.'

10.0 PUBLIC INQUIRY CONSIDERATIONS

- 10.1 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 ETRO does not include permanent restrictions on loading and unloading, or other elements which would make it a requirement to hold a public inquiry before a decision is taken as to whether to make the ETRO a permanent order. The mandatory requirements for a public inquiry under Regulation 9 are therefore not met.
- 10.2 However, there is still a discretion under Regulation 9 to hold a public inquiry regardless of the mandatory triggers not being met. Whilst the Council has the discretion to hold a public inquiry, nobody has requested that one be held and the Council does 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.

11.0 CONCLUSIONS

- 11.1 The Council considers that the ETRO has succeeded in achieving the requirements stated in the Order and contained in section 3.5 Whilst it is noted that the consultation has given a large number of objections to the ETRO, the vast majority of objections did not relate to the reasons behind the ETRO. However, the objections and the comments made therein will be considered in the forthcoming review of parking in Scarborough and Whitby in the near future.

12.0 REASONS FOR RECOMMENDATIONS

- 12.1 Members views are sought so the Corporate Director of Environment and Executive Member for Highways and Transportation can consider them in their forthcoming meeting to determine the outcome of the ETRO.

13.0 RECOMMENDATION

- 13.1 Members are asked to provide comments so that they can be considered by the Corporate Director Environment and the Executive Member for Highways and Transportation when they consider the outcome of the ETRO.

APPENDICES:

Appendix A1 and A2 – Consultation responses.

Appendix B – Equalities screening form

Appendix C – Climate Change Impact Assessment

Appendix D - Model Standards for touring sites, under the Caravan sites and Control of Development Act, 1960

BACKGROUND DOCUMENTS: Report to the Executive Members 09 August 2024

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