REPORT OF THE HEAD OF TOURISM AND CULTURE – 12/332

WARDS AFFECTED: ALL

SUBJECT: MOTOR CARAVAN PARKING

RECOMMENDATION (S):

That the Portfolio Holders approves:

i. the placing of statutory advertisement to prohibit motor caravan parking overnight on various Off Street Car Parks detailed in section 3.13 on this report; and

ii. that proposals to allow overnight use of motor caravans on various Off Street Car Parks detailed in section 3.11 of this report be referred to the Parking Review Group for further consideration.

REASON FOR RECOMMENDATION (S):

The Parking Review Group, set up specifically to continuously examine and inform upon the Council’s car parking operations met on 25 April 2012. This report presents the views and recommendations of the Group in relation to Motor Caravan parking arrangements in the Borough Council's Car Parks. The current controls being ineffective.
HIGHLIGHTED RISKS:

The recommendations of the Parking Review Group, aim to address concerns in relation to the increasing number of motor caravans using the car parks.

1. INTRODUCTION

1.1 Proposals for action including the statutory advertisement of amendments to the Borough of Scarborough Off Street Parking Orders have been considered by the Parking Review Group and these are covered in greater detail in the issues section of this report.

2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN

2.1 The parking function relates to the following Corporate Aims:

Aim 2: Prosperous
Aim 4: Quality Environment

3. BACKGROUND AND ISSUES

3.1 Members of the Parking Review Group have discussed motor caravan parking at length over the past 3 years, Members have expressed concern about the level of this activity, and have received similar complaints from local traders and residents. There has been correspondence received from motor home owners wishing to park their vehicles without constraints and requests for dedicated provisions for motor homes.

3.2 Motor home parking, especially overnight, is increasing noticeably in high-profile tourist areas of Scarborough and Whitby. This is thought to be due to the increased numbers of motor caravan ownership over recent years.

3.3 The Council off street car parks are controlled by Traffic Regulation Orders made under the Road Traffic Regulation Act 1984. The existing Borough of Scarborough (Off Street Parking Places) Order 2012 has restrictions on the use of parking places, namely:

*No person shall use any part of a parking place or any vehicle parked in parking place for sleeping or camping or cooking.*

3.4 Camping is defined as temporary overnight lodging, therefore, any vehicle parked overnight and occupied could be liable to receive a Penalty Charge Notice.

3.5 The difficulty with enforcement is proving that the motor caravan is occupied overnight, this coupled with lack of signage results in the current restrictions being ineffective.
3.6 Currently parking is permitted during the hours of operation of the car park by motor caravans by purchasing a pay and display ticket. Motor caravans range in size from a small van right up to the equivalent of a full sized coach.

3.7 North Yorkshire County Council have recently confirmed plans to introduce a restriction on motor caravans on the following select streets between 11pm-7 am:

Sandsend Beach Front, North Promenade Whitby, East Terrace Whitby, Royal Crescent Whitby, Church Street, Whitby, Royal Albert Drive, Sandside, Foreshore Road, Esplanade, Old A165 Cayton Bay and The Beach Road Filey.

3.8 The group recommends amendments to the Traffic Regulation Order which will permit specifically dedicated car parks earmarked in Whitby, Scarborough and Filey to permit overnight camping, on the basis of a one year trial. A charge of £10 being applicable.

3.9 In addition car parks adjacent to the areas where controls are being implemented by NYCC should reflect those restrictions.

3.10 In order to enforce the proposed restriction additional signs will be required to prohibit motor caravans, which have recently been introduced by the department for transport.

Amendments to the current Traffic Regulation Order will be required.

3.11 Introduction of a charge for motor caravans only on the following car parks and removal of current restriction on overnight camping

<table>
<thead>
<tr>
<th>Car Park</th>
<th>Charge applicable (per night)</th>
<th>Charging times</th>
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<tbody>
<tr>
<td>Scalby Mills – Scarborough</td>
<td>£10.00</td>
<td>11pm-7am</td>
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<tr>
<td>Marina Back – Whitby</td>
<td>£10.00</td>
<td>11pm-7am</td>
</tr>
<tr>
<td>West Avenue – Filey</td>
<td>£10.00</td>
<td>11pm-7am</td>
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</table>
3.12 The insertion of a legal definition of a motor caravan into the order. Motor caravans are defined by a European Union directive as

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

3.13 The amendment of the articles in the order to prohibit motor caravans between 11pm and 7am on the following car parks:

Scarborough
Spa Drive & Forecourt, Marine Drive, West Pier, King Street, Eastborough, Quay Street

Whitby
Pavilion Top & Drive, West Cliff, Church Street, Endeavour Wharf, Marina Front

Filey
Station Avenue and Country Car Park

4. CONSULTATION

4.1 A formal, time limited, consultation process will commence when the proposals contained within the report and any amendments or other recommendations are approved by the Individual Cabinet Member and advertised by public notice

4.2 Proposals are circulated directly to interest groups, e.g. all Emergency Services, Road Hauliers Association, Public Transport providers, NYCC etc. as part of the statutory process associated with a TRO. It is also a legal requirement that proposals must be advertised in the local press and notices placed on car parks to allow a minimum of 21 days for interested parties to comment upon or object to the proposals.

5. ASSESSMENT

5.1 The proposals of this report are intended to manage the increased number of motor caravans using the Council's Off Street Car Parks in line with On Street locations managed by North Yorkshire County Council.
6. IMPLICATIONS

(a) Policy

6.1 There are no changes in overall Council policy arising from the proposals in this report.

(b) Financial

6.2 The Financial Implications will include the signage on the car parks where motor caravans are to be prohibited from. In addition a small cost will be attributed to enforcement of the said restriction out of hours.

(c) Risk

6.3 See Appendix.

(d) Legal

6.4 The Council as agents for the County Council has powers under the Road Traffic Regulation Act 1984 to make relevant orders, levy charges and carry out enforcement.

(e) Staffing

6.7 In order for the restriction to be effective additional patrols will be required. The cost is likely to be absorbed by some re-adjustment of existing shifts.

(f) Other

6.8 I have considered whether the following implications arise from this report and am satisfied that there is no identified adverse implication that will arise from the decisions:

Planning
Crime and Disorder
Health and Safety
Environmental
Equalities and Diversity

7. ACTION PLAN

Advertise Proposed New Orders       June 2012
Report Objections                    July 2012
Implement resulting Order Changes    July 2012

If no objections are received then the Orders will be made as advertised.
Brian Bennett
Head of Tourism and Culture

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Background Papers:
Meetings of the Parking Review Group:
25 April 2012

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT STUART CLARK ON 01723 232453 e-mail stuart.clark@scarborough.gov.uk
### Risk Matrix

<table>
<thead>
<tr>
<th>Risk Ref</th>
<th>Date</th>
<th>Risk</th>
<th>Consequences</th>
<th>Mitigation</th>
<th>Current Risk Score</th>
<th>Target Score</th>
<th>Service Unit Manager/ Responsible Officer</th>
<th>Action Plan</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>Failure to introduce controls</td>
<td>Car Park overnight usage by motor caravan increases significantly to the detriment of providers of the facility and other car park users</td>
<td>Adopt proposals in the report</td>
<td>C3</td>
<td>B2</td>
<td>S Clark</td>
<td>As detailed in report</td>
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Glossary of Terms

Risk
An event which may prevent the Council achieving its objectives
Consequences
The outcome if the risk materialised
Mitigation
The processes and procedures that are in place to reduce the risk
Current Risk Score
The likelihood and impact score with the current mitigation measures in place
Corporate Objectives
An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score
The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager
The Service Unit or Officer responsible for managing the risk
Action Plan
The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

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<th></th>
<th>1</th>
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<tbody>
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<td>A</td>
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Likelihood:  
A = Very Low
B = Not Likely
C = Likely
D = Very Likely
E = Almost Certain

Impact:  
1 = Low
2 = Minor
3 = Medium
4 = Major
5 = Disaster