



Ryedale District Council

REPORT TO: Community Services & Licensing Committee

DATE: 31 January 2008

REPORTING OFFICER: Mr P Long

SUBJECT: St Nicholas Street car park

WARDS AFFECTED: Norton-on-Derwent

1.0 PURPOSE OF REPORT

To inform Members on the findings of the research and consultation undertaken to date and determine future strategy on the possible introduction of charges on St Nicholas Street car park, Norton-on-Derwent.

2.0 RECOMMENDATIONS

- a. Implement charges on St Nicholas Street car park, Norton-on-Derwent providing that, in partnership with North Yorkshire County Council, a Residents Parking Scheme/amendment of the TRO (traffic regulation order) can be ratified in order to prevent displacement of cars onto neighbouring streets.
- b. NYCC in liaison with RDC officers to carry out a survey of residents in regard to the feasibility of a residents parking scheme, to include St Nicholas St, Bruntwood Terrace, Derwent Terrace and Church St.
- c. Prior to (b) being carried out detailed Legal advice to be sought regarding potential implications of providing reserved car parking for residents of Bruntwood Terrace and the implications of provision of resident parking schemes.
- d. Assuming (a) can be progressed and charging implemented the following is agreed in principle:
 - o Refunding the full cost of car parking for Community Leisure users
 - o Charges to be limited to between 9.00am and 4.00 pm Monday to Saturday.
 - o By comparison with other RDC car parks, tariffs should be cheaper for short stay and as expensive for long stay in order to encourage turnaround.

3.0 REASONS SUPPORTING DECISION

- To progress the approved Car Parking Strategy and realise a return on the asset.
 - To provide a satisfactory resolution to the parking issues on Norton car park, with account being taken of the interest and needs of local residents, Community Leisure and businesses.
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4.0 POLICY CONTEXT

- Car Parking Strategy
- Community Plan

5.0 BACKGROUND

Members may recall that it has been agreed that “subject to satisfactory resolution of issues relating to parking provision for adjacent residents and users of the Derwent Pool, the introduction of charges at St Nicholas Street be accepted in principle”. The car park is the only RDC off street car park where parking is free of charge.

Summary of Key issues:

- It is generally accepted that the Norton car park is increasingly becoming locked at peak periods.
- Previous analysis suggests that total daily parking demand is split between 76% short stay and 24% long stay; however at any one time up to 45% of the vehicles occupying the car park, park all day.
 - Workers (55%) account for the majority of all day parking. Evidence suggests the remainder of long-term use is by residents and potentially some rail users.
 - Pool and fitness suite users account for the majority (47%) of short stay parking, followed by users parking for appointments (21%) and shopping (23%).
 - The car park is well used outside normal tariff hours ie 9.00am and 6pm.
- Bruntwood terrace residents believe that there was an implied agreement when the car park was built that they were guaranteed free parking on the car park, though to date no legal evidence can be found to this effect. Norton Town Council and a number of local members believe that RDC has a moral obligation to provide free parking for these residents.
- There is general concern from Officers, NYCC, Police, Members, Norton Town Council and residents that the introduction of charging could displace cars onto the neighbouring streets (to the detriment of residents) where a plethora of free parking exists, causing congestion.
- Regarding concerns re Community Leisure there is general acknowledgement that concessions should be considered by RDC for pool and fitness suite users.
- In addition to the concerns raised above, Norton Town Council supported and previously submitted a petition of 1219 signatures of people against the imposition of charges to CS&L 26 January 2006 (minute 431) *“We, the undersigned, earnestly request Ryedale District Council, not to impose charges for the parking of vehicles at St Nicholas Street car park, Norton-on-Derwent, as this would seriously damage the viability of the already sparse shopping facilities; impose an additional burden on those wishing to use the adjacent Derwent Pool and Fitness Centre; and compromise road safety by increasing pressure on parking on adjoining streets.”*

Progress to date: Members received a progress report at the meeting of the Community Services & Licensing Committee held on 5 October 2006, advising them of the consultation undertaken to that date with various stakeholders. This included a survey of use of the car park and representation of the views of:

- Norton Town Council.
- The Police and North Yorkshire County Council.
- Community Leisure.
- Cultural Services.

Following this meeting it was resolved to consult with residents of specified streets neighbouring the car park and with local businesses in Norton-on-Derwent. This

process was carried out in June/July 2007 progress being delayed by the District Council Election and the Unitary bid.

In October 2007 officers engaged in further consultation with North Yorkshire County Council, North Yorkshire Police, Car Parking Action Group and local members regarding their views and to share the findings of the survey.

6.0 REPORT

This report updates members regarding the results of the latest research and consultation undertaken with residents, businesses and stakeholders in Norton and provides options regarding the introduction of charges on St Nicholas Street car park.

Residents and Business Consultation

In June 2007 a questionnaire was sent to surrounding residents and local businesses in Norton to assess their use of St Nicholas Street car park and to ask for their comments on the possible introduction of charges. A full analysis of the responses is shown as **Appendix A**.

In brief:

- There was a good rate of return (36%) particularly from Bruntwood Terrace (66.6%) and businesses (52%).
- A common theme amongst the responses from both residents and businesses were concerns that the introduction of charges on the car park would lead to an increase in on-street parking as users tried to avoid paying.
- Bruntwood terrace residents favoured the option of a lockable bollard in regard to a reserved parking place, having no concerns regarding the introduction of charging if this was in place.
- Generally amongst businesses it was felt that few customers (of Commercial St) used the car park. The fear was that charging could lead to an increase in on-street parking on Commercial Street, thus reducing the amount of available parking for customers. A problem exacerbated by the perceived lack of on-street enforcement.
- A number of businesses felt that if charging was introduced the first one–two hours should be free.
- Although almost 80% of respondents to the resident's questionnaire parked their car either on street or in a garage, 82% had more than one car and it was usual for these second and subsequent vehicles to be those who used the car park on a more frequent basis, 69% parking on the car park overnight.
- 64% of respondents expressed an interest in learning more about Residents Parking Zones, although some commented that they did not believe they should have to pay for parking.

Car Parking Action Group Consultation

On 26 October 2007 officers and Members met with representatives of the Car Parking Action Group (CPAG) to discuss the contents of a draft document supplied by the Group.

The group agreed to prepare a final set of representations following consideration of officers and members comments. This document is enclosed as Appendix B.

NYCC & North Yorkshire Police

Both organisations have concerns regarding the displacement of cars onto neighbouring streets. This could potentially be addressed by the introduction of residents parking zones. Implemented by NYCC in the absence of Police resources it

could be monitored by RDC on an agency basis, though there would clearly be resource issues for RDC:

- Both organisations feel that displacement has the potential to extend to neighbouring streets i.e. St Nicholas St, Church St, Commercial St, Bruntwood Terrace, Langton Road, Sutton St and St Peters St.
- NYCC could consider amending the TRO to encourage turnover of parked vehicles, with resident permit parking being provided by RDC on St Nicholas St car Park either with or without dedicated spaces.
- It should be noted that NYCC as the Highway Authority must give approval if charging is to be introduced.

Residents Parking Zones: Residents Parking Zones are areas that require a permit in order to park on a particular street or section of street. They are usually part of a decriminalised parking regime, administered by the local authority rather than the Police.

- A decriminalised parking regime could at worst case scenario take at least two years to set up and involves considerable work ensuring that road markings, signage and the local legislation are geared to ensure a smooth transition. As such the TRO option could be quicker.
- Anecdotal evidence suggests that the move to decriminalised parking is far from straightforward and conversations with NYCC suggest that they have little success with them, due in part to non-reservation of space, properties with two cars and the charges themselves.
- It is possible for the District Council to set up an agency agreement with the Police and highway authority to enforce on street parking in an area. Such an agreement is in place in Thirsk on one section of street in the town centre.
- NYCC undertook some research into Residents Parking Zones during the development of the Malton & Norton Transportation Strategy 2004 25 April 2005, which stated that "... residents' parking zones... will need to be subject to further review as part of the roll forward of the capital programme." Anecdotal evidence from other District Councils in North Yorkshire confirms the difficulties that NYCC have with the implementation of such arrangements, after 5 years, a number are no nearer a resolution.
- The Local Transport Plan 2 2006-2011 identifies schemes for local service centres (Service Centre Transportation Strategies) including Malton and Norton. It identifies one of the main issues to be addressed as "*The need for further partnership working with Ryedale District Council to resolve issues relating to on and off-street parking; the charging rates and directional signing for the latter being a major issues identified by the Malton and Norton Area Partnership.*"
- However the LTP2 does not schedule the development of a Service Centre Transportation Strategy and a review of the Traffic Management Strategy for Malton and Norton until 2009/10.

Leisure Provision

Concerns have been raised regarding the fact that charges may discourage users of the Derwent Pool and Fitness Suite

- Consideration would need to be given to concessions to compensate users, though these would need to be carefully thought through regarding block bookings, advanced payments and potential restrictions on the length of stay (parking).
- It is essential that there is no negative effect on key corporate objectives in regards increased participation in and satisfaction with sports and cultural activities.

- Consideration must be given to avoid any negative impact with regard the Community Plan re Vibrant Communities, Developing Opportunities and Health & Wellbeing.

Car Parking Research

A number of studies and research have been undertaken with regard parking and have been previously analysed as part of the review of car parking implemented in 2006. Steer Davies Gleave has carried out the latest research on car parking for Yorkshire Forward (2007. *Renaissance Market Towns Programme Car Park Research*).

Members have been sent the web site link to the main report and hard copies have been sent as requested and also made available in the Members lounge in order that Members can read the report and reach their own conclusions regarding the key findings.

The report makes a number of points:

- It highlighted the differing parking needs of customers and the importance of understanding the nature of the town's users.
- A charging regime can be flexible, to reflect differing needs at different times of the day, week or year i.e. free parking before 9.30 or after 16.00 etc.
- Residents permit schemes can be used when there is a conflict between residents parking and visitor parking.
- The report mentions a scheme in Beverley and Bridlington where residents pay for their first and second permit. "Transparency in the Authorities approach has generated local support for residents parking schemes".
- Resident's permits can be differential i.e. increasing the cost for the second car.
- The parking attributes most important to workers are:
 - The ability to park for long periods (4-9 hours)
 - Low tariffs, but preferably free.
 - Vehicle safety.
 - Safe walking routes.
- The parking attributes most important to residents are:
 - Location in close proximity to home.
 - A high likelihood of being able to park a reasonable distance from their home.
 - Very low/free tariffs and or simplicity of permit system.

7.0 OPTIONS

The challenge regarding the introduction of charging on St Nicholas St is to ratify the conflicting requirements of current car park users and remove the potential for cars to be displaced. The worst-case scenario being an empty car park and congested streets.

The car park represents a significant and costly asset valued at £130K for which RDC receives no revenue. Currently the car park is very well used day and night being virtually locked at peak periods.

"A parking 'free for all', with no restrictions on parking and a lack of enforcement represents a failure to manage your asset and a failure to provide good customer service. This may then adversely affect economic performance" (p6 *Car Parking Research Document Yorkshire Forward 2007*).

Bruntwood Terrace: There appears to be general agreement that there is a moral if not a legal argument to provide parking for the houses on Bruntwood Terrace.

Options include:

- Providing one pass to each house for parking on the car park.
- Designating a space for each house and securing with lockable bollards
- Providing spaces free of charge or for an annual fee.
- Legal advice would need to be sought regarding the potential current and future implications or liabilities that this would create.

Resident parking: For the introduction of charging to be successful and to limit the potential for cars to be displaced onto neighbouring streets (where there are no parking restrictions), resident parking zones or amendment to the TRO must be considered essential.

Options include:

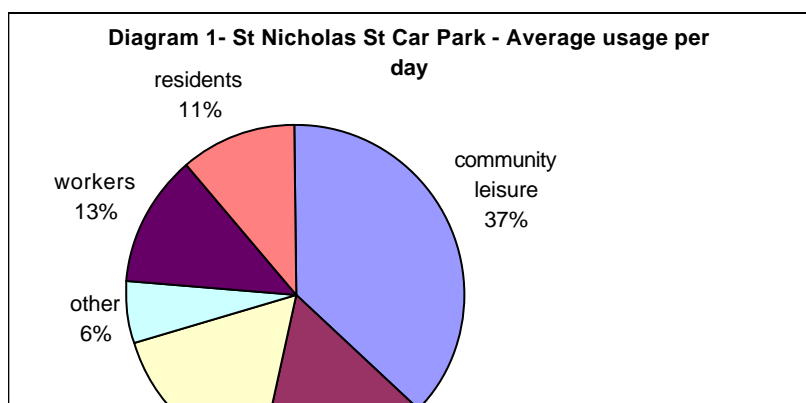
- Despite 64% of residents being willing to consider the introduction of resident parking zones NYCC have stated that they would need to survey residents in order to gauge opinion.
- NYCC would need to consult with RDC regarding content of the message, permit costs, higher costs for second cars etc.
- A further option to consider would be for NYCC to amend the TRO, Resident permit parking being provided by RDC on St Nicholas St car Park either with or without dedicated spaces, which could be quicker but would be dependant on potential demand from residents.
- Given the possible timescale of the introduction of resident parking schemes (up to 2 years in some cases) this could prove to be the quicker option.
- Officers would need to investigate the potential costs of enforcement and administration.

Tariff Structure: With reference to **Diagram 1** previous analysis indicates that the majority of parking is for Community Leisure, however at anyone time up to 45% of the vehicles occupying the car park may be parked all day, 55% of which belong to workers.

Usage analysis and business consultation indicate that (due potentially to its location and the limited retail offer) use of the car park by shoppers is limited. The car park is well used outside of normal tariff hours ie before 9.00am and after 6.00pm due to resident parking and Community Leisure.

Assuming the introduction of on-street controls/residents parking schemes can be resolved options include:

- Concessions for Community Leisure. Current machines can produce two tickets; essentially on production of the second ticket Community Leisure users could be refunded the full price of the ticket.



- Car park charges should be limited to between 9.00am and 4.00 pm Monday to Saturday.
- The principles of cheaper short stay and more expensive long stay tariffs should be considered to:
 - Help to unlock the car park.
 - Smooth the introduction of charging to the majority user.
 - Establish the quantum of ticket demand.
- RDC sell a highly discounted workers permit, proposed cost £170, which gives 90% discount as compared to current tariffs. It is proposed to investigate the potential of easier payment systems.

8.0 FINANCIAL IMPLICATIONS

The car parking strategy estimated a possible income of £25,000 from charging on the car park. This has been budgeted for 2008/9.

However possible income must be qualified against potential migration of workers to non-regulated areas, potential costs regarding the introduction of resident parking schemes and increased enforcement costs and comes with a health warning.

In addition in discussions with NYCC, officers have been advised that the possible timescale regarding the introduction of resident parking schemes could take a lengthy period of time to fully implement. As such progress needs to be urgent if income is to be achieved during 2008/9

9.0 RISK ASSESSMENT

Information: Failure to undertake a thorough and clear consultation with regard to resident parking schemes

Operational: Increased costs of enforcement and administration

Reputation: Failure to manage the potential migration of car park users onto non-regulated areas.

Regulatory: Dependence on NYCC to carry out survey and agree to the introduction of charging.
Legal opinion required regarding the provision of parking for Bruntwood Terrace.

Financial: Unknown quantum re costs of enforcement of resident parking

Sustainability: Additional income would help to facilitate improvements to the car-parking infrastructure

10.0 CONCLUSION

The challenge regarding the introduction of charging on St Nicholas St is to ratify the conflicting requirements of current car park users.

For the introduction of charging to be successful and to limit the potential for cars to be displaced onto neighbouring streets resident parking zones or amendment to the TRO must be considered essential, to prevent congestion, enhance potential income and first and foremost gain NYCC consent for charges to be introduced.

Background Papers:

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CORPORATE POLICY APPRAISAL FORM *(One for each Option)***Annex A**

Policy Context	Impact Assessment	Impact +ve -ve Neutral
Community Plan Themes <i>(Identify any/all that apply)</i>	See report	
Corporate Objectives/Priorities <i>(Identify any/all that apply)</i>		
Service Priorities		
Financial	Could increase income levels	
Procurement Policies		
Asset Management Policies		
LA21 & Environment Charter	Contribution regarding reducing congestion	
Community Safety		
Equalities		
E-Government		
Risk Assessment		
Estimated Timescale for achievement		

St Nicholas Street Car Park - Questionnaire Analysis

195 (approx) questionnaires were sent out to residents of St Nicholas Street, Church Street, Derwent Terrace and Bruntwood Terrace and businesses located on Church Street and Commercial Street.

A good rate of return on such surveys is approx. 35-40%. Of 195 questionnaires delivered, 71 were returned equating to a return rate of 36% overall.

- Of the 6 sent to Bruntwood Terrace, 4 were returned (66.6%)
- Of the 135 (approx) sent to residents of St Nicholas Street, Church Street and Derwent Terrace, 39 were returned (29%)
- Of the 54 sent to businesses on Church Street and Commercial Street, 28 were returned (52%).

Totals

Residents – 141 questionnaires, 43 returns = 30%

Businesses – 54 questionnaires, 28 returns = 52%

Analysis

Bruntwood Terrace Residents

- The high rate of return of the questionnaires shows that these residents have real concerns about parking facilities should charges be introduced, as their properties face onto the car park.
- Most residents who returned the questionnaire have one car, which is parked all day and night.
- Residents who returned the questionnaire would all prefer to have a reserved parking space with lockable bollard.
- Provided the residents have a reserved parking facility, none are concerned about the introduction of charges on St Nicholas Street.
- Each respondent reports having difficulty finding a space to park. Previous usage surveys have shown that the car park is rarely full to capacity. It may be that the residents have difficulty parking close to their properties.

St Nicholas Street, Church Street and Derwent Terrace Residents

- The relatively low rate of return of the questionnaires may indicate that these residents have few concerns regarding the possible introduction of charges on the car park.
- Most residents who returned the questionnaire have one or two cars and 72% park their cars on the car park regularly or occasionally.
- 79.5% of residents who returned the questionnaire park their cars either in a private garage or on-street. However, a second car is usually parked on the car park.
- 69% of residents who returned the questionnaire park their cars on the car park overnight and there is a steady average using the car park all day every day.
- 50% of residents who returned the questionnaire do not have difficulty finding a space to park.
- 64% of residents who returned the questionnaire are interested in knowing more about Residents Parking Schemes.
- 51% (19) of residents who returned the questionnaire live on St Nicholas Street.

Comments

- The majority of respondents are concerned with possible increased congestion on neighbouring streets, by people looking to avoid charges on the car park by parking on-street. Neighbouring streets mentioned include Wood Street, Welham Road, St Nicholas Street etc. Many would like residents-only parking on the streets neighbouring the car park to minimise difficulty when trying to park close to home.

- Some respondents comment on the benefits of charging including dissuading “boy racers”, reducing the number of users who currently park all day for free in Norton and then walk into Malton to work, in the hope that this will free up space for local Norton users.
- A couple of respondents were concerned with the possible effects on businesses in Norton – see below.

Businesses

- There was an excellent rate of return from businesses of 52%, illustrating business concerns regarding the possible effects of charging on the car park.
- 18 responses were from businesses on Commercial Street (37 rateable premises not including advertising etc. = 49%) and 10 from Church Street (17 rateable premises – not including advertising etc = 59%).
- 71% of respondents do not use the car park for parking their vehicles while at work.
- The majority of respondents were from shops trading over six or seven days per week.
- 89% of respondents tell us that their customers spend up to 1 hour in their business premises.
- Opening times vary from between 6.00 a.m. to midnight.

Comments

- The majority of business respondents are concerned with the displacement of vehicles avoiding paying for parking on the car park. The general consensus appears to be that few customers (of Commercial Street) use the car park, but if people are trying to avoid paying, congestion on neighbouring streets including Commercial Street, will drive away customers from Commercial Street businesses. A number are concerned that this problem will be exacerbated if the current perceived lack of on-street enforcement is allowed to continue.
- A number of businesses suggest that if charging is introduced, consideration should be given to allowing the first one or two hours to be free of charge.
- One business comments that they would be happy to pay if the car park was secure in order to minimise the current incidents of petty vandalism, especially to vehicles parked overnight.
- The Derwent Arms, which has a large car park, is concerned that non-customers to avoid parking charges will use the car park.

Bruntwood Terrace Questionnaire

1. How many cars are there in your household?

0 car 1

1 car 3

2. Do you park your car(s) on St Nicholas Street car park or not?

Yes 4

3. If not, where do you park your car(s)?

No responses

4. If you park on St Nicholas Street car park, how many times each week do you use the car park?

	1 st car	2 nd car
Everyday – daytime	3	
Everyday – evening/night	4	
1-3 times per week – day time		
1-3 times per week – night time		
3-6 times per week – day time		
3-6 times per week – night time		

5. If you park on St Nicholas Street car park, for how long on average, do you usually park each day?

Mon - Fri		Sat - Sun	
9.00 – 10.00	4	9.00 – 10.00	4
10.00 – 11.00	4	10.00 – 11.00	4
11.00 – 12.00	4	11.00 – 12.00	4
12.00 – 13.00	4	12.00 – 13.00	4
13.00 – 14.00	4	13.00 – 14.00	4
14.00 – 15.00	4	14.00 – 15.00	4
15.00 – 16.00	4	15.00 – 16.00	4
16.00 – 17.00	4	16.00 – 17.00	4
Evening/Overnight	4	Evening/Overnight	4

6. Do you ever have difficulty finding a space to park in the car park?

Yes 4

No 0

7. A number of options may be considered for providing concessionary parking for residents of Bruntwood Terrace. Please consider the options shown below and indicate your preference.

Option	Preference
A permit to display in the vehicle allowing the user to park anywhere in St Nicholas Street car park	0
A reserved parking space accessed via a lockable bollard for which the resident has a key	4

8. Providing the Council issued residents of Bruntwood Terrace with concessions for St Nicholas Street car park, would you have any significant concerns about the introduction of charges?

Yes 0

No 4

Norton Residents Questionnaire

1. How many cars are there in your household?

0 cars 3
 1 car 19
 2 cars 13
 3 cars 3
 4 cars 1

2. Do you park your car(s) on St Nicholas Street car park or not?

Yes 18
 No 12
 Occasionally 9

3. If not, where do you park your car(s)?

Garage 10
 St Nicholas Street 10
 Other local street 6

4. If you park on St Nicholas Street car park, how many times each week do you use the car park?

	1 st car	2 nd car
<i>Everyday – daytime</i>	12	4
<i>Everyday – evening/night</i>	15	7
<i>1-3 times per week – day time</i>	4	
<i>1-3 times per week – night time</i>	5	2
<i>3-6 times per week – day time</i>	1	
<i>3-6 times per week – night time</i>	2	

5. If you park on St Nicholas Street car park, for how long do you usually park each day?

Mon - Fri		Sat - Sun	
9.00 – 10.00	12	9.00 – 10.00	16
10.00 – 11.00	10	10.00 – 11.00	16
11.00 – 12.00	12	11.00 – 12.00	16
12.00 – 13.00	12	12.00 – 13.00	16
13.00 – 14.00	12	13.00 – 14.00	16
14.00 – 15.00	11	14.00 – 15.00	16
15.00 – 16.00	13	15.00 – 16.00	16
16.00 – 17.00	16	16.00 – 17.00	16
<i>Evening/Overnight</i>	25	<i>Evening/Overnight</i>	24

6. Do you ever have difficulty finding a space to park in the car park?

Yes 10
 No 19
 N/A 10

7. Would you be interested in finding out the possible benefits of the introduction of a Residents Parking Scheme in the vicinity of St Nicholas Street car park, Norton?

Yes 26
 No 5
 N/A 8

8. Please could you indicate on which street you live (please tick).

St Nicholas Street 19

Church Street 9

Derwent Terrace 5

Commercial Street 5

N/A 1

Norton Business Questionnaire

1. Where do you and your staff park their cars during working hours?

<i>Private car park</i>	10
<i>On street</i>	5
<i>St Nicholas Street car park</i>	9
<i>Garage</i>	0
<i>Other</i>	4

2. On average, how much time do you estimate the majority of customers spend in your business?

<i>0-5 mins</i>	6
<i>5-10 mins</i>	1
<i>10-15 mins</i>	7
<i>30 mins</i>	8
<i>1 hour</i>	3
<i>2 hrs and over</i>	5

3. On which days of the week is your business open?

<i>Monday</i>	26
<i>Tuesday</i>	27
<i>Wednesday</i>	28
<i>Thursday</i>	26
<i>Friday</i>	28
<i>Saturday</i>	24
<i>Sunday</i>	6

5. Please indicate the type of business you operate.

<i>Business</i>	<i>Tick</i>
<i>Shop</i>	12
<i>Hairdresser</i>	3
<i>Office</i>	3
<i>Leisure</i>	1
<i>Public House/Hotel</i>	2
<i>Other</i>	6

7. Is your business on Commercial Street or Church Street?

<i>Commercial Street</i>	18
<i>Church Street</i>	10

ST. NICHOLAS STREET CAR PARK CONSULTATION

REPRESENTATIONS OF THE CAR PARK ACTION GROUP

The Car Parking Action Group is a group of concerned local people who are determined to ensure that the Council does not charge excessively for car parking spaces or impose unnecessary charges which might have an adverse impact on business or the community. We have no constitution. We are not a corporate body in any sense whatsoever, and we have no fixed membership.

In 2005 we campaigned vigorously against the Council's decision to raise car park charges by 25%.

We now understand that the Council wishes to impose car parking charges on St. Nicholas Street Norton. We are invited to make representations.

The following people attended a meeting with Council officers in November 2006: Cllr. Paul Andrews, Chris Buxton, Keith Mennel, Denys Townsend and Roddy Bushell. There was a full discussion of the issues and the Group was invited to make representations.

We were told that, at that time, the public consultation over imposing charges at St. Nicholas Street had not yet commenced.

There was a further meeting with officers on 26th October 2007, which was attended by Cllrs. Paul Andrews and Elizabeth Shields, County Councillor David Lloyd Williams and Chris Buxton (for the Action Group), and Phil Long and Cllrs. Howard and Di. Keel and Cllr. Mrs. Linda Cowling (for the Council).

We make the following representations:

1. We note that the Council wishes to make concessions in favour of customers of the swimming pool. We say the Council cannot have its cake and eat it. If the Council thinks that the imposition of car park charges would have an adverse impact on the business of the Norton Pool, the Council must also accept that the imposition of the same charges would also have an adverse impact on all other Norton businesses.
2. We are opposed to the imposition of charges, which we feel is contrary to the Local Development Framework. The text on "Community Vitality and Viability contained within the draft Core Strategy Statement refers to and accepts the findings of a Retail Capacity Study which has identified that :
 - 2.1. A considerable amount of money spent by Ryedale residents goes to shopping centres outside of the District;
 - 2.2. All the town centres, ***except for Norton***, are generally healthy with no signs of acute decline

- 2.3. Malton has declined in the national retail ratings over recent years;
- 2.4. There is a need for new retail space for comparison goods (eg bulky goods) in Malton;
- 2.5. There is only a limited need for new/additional convenience goods, but a need to improve the quality and range of the existing offer.
3. The text goes on to refer to the importance for the LDF to enhance the vitality and viability of the retail areas within the market towns.
4. It is clear from the above that Norton's commercial town centre is in difficulty and needs action to revitalise it. It follows that no action should be taken by the council which might further weaken Norton's commercial town centre, and that any such action must inevitably be inconsistent with the policy of the Council as expressed in the draft LDF.
5. At the meeting on 26th October 2007, the Council produced a document published by Yorkshire Forward entitled: ""Renaissance Market Towns Programme: Car Parking Research". It was suggested on behalf of the Council that this document establishes that the viability of a shopping centre depends primarily on the quality and range of the retail offer and not on the availability or cost of car parking.
6. We would comment as follows:
 - 6.1. We would accept that the viability of a shopping centre depends primarily on the quality and range of the shopping offer, but we can see nothing in the document that negates our view that the cost and availability of car parking is an important secondary factor.
 - 6.2. Our evidence suggests that, if the cost and availability of car parking is not right, this can prejudice the viability of a shopping centre and this is what has happened in Malton and Norton.
 - 6.3. Our evidence comes not only from the experience of local businesses in Malton/Norton, but also from the Lockwood Study, which we have referred to in the context of Malton.
 - 6.4. The document published by Yorkshire Forward confirms the weight that should be attached to the Lockwood Report and supports our case.
 - 6.5. Our comments on the Yorkshire Forward Document are set out in the attached appendix. The Council has been asked to comment on these comments, but have failed adequately to do so.
 - 6.6. The Lockwood Report categorises shopping centres into Regional, sub-regional and District centres. There is no point in pretending that Malton/Norton are sub-regional shopping centres like York or Scarborough, or a Regional centre like Manchester or Leeds.

- 6.7. If Malton is a district centre, then Norton can either be considered as part of a combined Malton/Norton shopping offer or as a separate local shopping centre, which is lower in status than a District Shopping Centre.
- 6.8. There is nothing in the Yorkshire Forward publication to suggest that a District Shopping Centre like Malton would benefit by the building of more superstores so as to convert the town into an out-of-town centre.
- 6.9. If more superstores are built in Malton/Norton, the companies concerned will insist on the provision of free car parking, as is their national policy
- 6.10. Malton/Norton is not suitably located nor does it have the infrastructure to be anything more than a District Centre. It is not close enough to York or Scarborough to be suitable for out-of-town shopping.
- 6.11. As a District Centre, the shopping offer of Malton/Norton has to focus on the sale of convenience products, as is normal for District Centres.
- 6.12. According to the Lockwood Study, if Norton is considered to be part of a combined Malton/Norton district centre, it should have a car park situated within five minutes walk of the shops, and its charges should not exceed 50P per hour for the first hour and for subsequent hours, the amounts detailed in the Report.
- 6.13. St. Nicholas Street car park is situate within a five minutes walk of Norton shops.
- 6.14. As it happens, the Core Strategy Statement does not treat Norton as part of a combined Malton/Norton district centre, but as a separate town centre in its own right, which is less viable than Malton. As such its status must be less than that of a district centre. In that case, it would not be logical to make charges as high as the maximum for those recommended in the Lockwood Report for District Centres. In our view, there should be no charge at all.
7. St. Nicholas Street Car Park is not ideally located for Norton's shops, but it is within five minutes walk of those shops, and is therefore used by shoppers. Consequently, any imposition of charges there is bound to have an adverse impact on Norton's business community.
8. The best place to have a town centre car park is behind the ATS premises with accesses from Wallgates Lane. However, there is no scheme planned to revive this idea currently and therefore there is no alternative at present to St. Nicholas Street and on-street car parking.
9. If charges are imposed on St. Nicholas Street, this will exacerbate the problems caused by on-street car parking in the main street.

10. It is believed that, when the car park was first donated to Norton UDC, the donation was conditional upon the land being used as a free car park for the residents of Norton. We are seeking to establish precisely what was agreed by checking archived minutes of Norton UDC, at about the time of the donation of the land. If this is correct, there is a moral commitment which Ryedale, as the successor of the Norton UDC ought to honour. There may even be a legal or equitable commitment if a "secret" or "constructive" trust can be established. We would add the following points:
- 10.1. We understand that, when the car park was established, the owners of Bruntwood Terrace were promised that they would be able to use the car park free for the benefit of their properties, in place of rights which they already had to park cars behind their properties. There is no evidence of this arrangement in any deed or legal document, but the Council accepts the verbal evidence that has been provided by the present owners.
- 10.2. Verbal evidence has also been provided by Keith Mennel and others in regard to the donation of the land for the car park being conditional on it being a free car park for all the residents of Norton. There are no documents available which would disprove this, and, in the absence of evidence to the contrary, the evidence of the older residents of Norton must be allowed to stand. The onus is on the Council to show that the verbal evidence of the local residents is unreliable.
- 10.3. It is difficult to see how the Council can justify accepting the verbal evidence of the current owners of the Bruntwood Terrace houses, without also accepting the verbal evidence in regard to the donation of the land being conditional of it being held as a free car park for the benefit of the inhabitants of Norton.
11. As mentioned above, the houses of Bruntwood Terrace have no alternative car parking of their own, and their predecessors agreed to give up part of their land, in return for free car parking in St. Nicholas Street car park. It is understood that the Council acknowledges this, and will ensure that the owners of these properties will continue to enjoy free car parking. However, this will inevitably lead to confusion, difficulty and misunderstanding. The best way to avoid this is not to charge at all.
12. We cannot understand the reason for imposing charges.
- 12.1. We do not accept that there is a decision in principle to impose charges (subject to resolving issues concerning the use of the car park by the residents of Bruntwood Terrace). We understood that the only decision was one to "consider" making such charges.
- 12.2. As far as we know, the Council's budget does not need charges from St. Nicholas St. to balance

- 12.3. So, if the reason for imposing charges is to support the Council Tax, it is no longer valid.
13. It is accepted that St.Nicholas Street has become a useful place for commuters using the railway to leave their cars, and also for the staff of Morrisons. These people are not necessarily likely to contribute very much towards maintaining the vitality of Norton's commercial centre, and the imposition of a very nominal charge could be justified in order to discourage them.
14. The Group takes the view that, if this is the reason for imposing charges, the matter can be dealt with in a way, which is unlikely to prejudice Norton's shops.
- 14.1. The objective could be to allow parking at nominal cost for:-
- The neighbouring residents
 - The customers for neighbouring businesses
 - Visitors to the swimming pool
- 14.2. A tariff system that might achieve that is:-
- Residents permits for free 24 hr parking
 - 3 hours per day at a single tariff of 25P for all other customers, with no right to return on the day;
 - 3-6 hours £2.90
 - More than 6 hours £4.50
15. The Council may say that such a system would be expensive to police. We don't think so: all that would be necessary would be a few random checks every week, which should provide the necessary encouragement - and in Morrison's case, appropriate discussion with management.

APPENDIX

RENAISSANCE MARKET TOWNS PROGRAMME

The passage quoted by officers in support of the Council's position is as follows:

"Many people fear that making changes to the way that parking is managed will adversely affect the town's economy..... However, the limited evidence which does exist suggests that it is the town's broader retail, commercial, leisure or tourism offer which is the primary factor affecting the town's competitiveness, not the provision of parking....." (Page 6 Column 1)

Please note:

1. Provision of parking is not the same as the cost of car parking;
2. Matters that are primary factors affecting the town's competitiveness includes the leisure or tourism offer - this confirms what the Action Group has always said about Malton/Norton being at a disadvantage compared with Pickering and Helmsley - so that Malton/Norton should be treated differently.
3. The document is concerned with car parking management and says very little about charges. The Lockwood Study is referred to, but there is nothing that we could find in the document which is in conflict with Lockwood's findings. If you think we're wrong, please show me where the conflict arises.

The following passages are relevant to our discussions:

A. "When changes to parking restrictions, charges or enforcement are made, the evidence suggests that the primary responses to that change tend to be:

- An acceptance of the new arrangements (in which case people's behaviour broadly remains unchanged)
- A change in parking location (people park further away from their destination in an attempt to avoid paying a charge);
- A reduction in the length of stay in order to reduce parking costs."

(Page 6 Col 2)

In the case of Wentworth Street, the report to Community Services this year did not, of course, cover any of these matters. The Council just has not even tried to take any of these matters into account or to make an accurate survey.

B "However, it is essential that gateway parking is complemented by good signposting to the car park on approach roads, as well as pedestrian signposting from the car park to the town centre itself" (Page 6 Col 2)

This was never done in the case of Wentworth Street.

C."Footfall, retail performance and parking are related (probably)....."

Higher parking costs do tend to lead to shorter stays which can affect retail revenue per head....."(Page 9 Col 1)

D."In general terms comparison shopping is thought to be more susceptible to parking controls than convenience shopping and in some case there does appear to be a short-term downturn as a result of introducing charging"(Page 9 Col 2)

E."The acceptability of charging relates to several factors:

- relative costs (and offer) of competitor towns;
- Availability of free parking elsewhere in the town;
- The status and pull of the town";(Page 12 col 1)

Please note that this comment is completely consistent with and confirms Lockwood, who defines status of town in terms of whether or not they are a national centre, a regional centre (eg Leeds), a sub-regional centre (eg. York or Scarborough) or a District centre (eg. Malton/Norton or Pickering, and recommends levels o charges which are appropriate to each type of centre.

F. "The following is a list of signs that greater management of parking may not bring benefits:

- When there is no overall shortage of parking spaces;
- Where parking does not appear to be the number one local transport issue;
- The town performs a local role, without a significant rural catchment;
- The town's economy is weak (for example retail vacancies are high and/or there are few "higher order" shops);

- The town has a nearby competitor with a better retail offer; or
- The town has a nearby competitor with a similar retail offer and free or cheaper parking" ([Page 12 Col 2](#))

The last three bulleted items would clearly include Norton - and, of course, Malton as well.

There are other passages which could be quoted in support of the Action Group's case.