

AGENDA

Page No

1. MINUTES

To confirm the decisions of the meeting held on 4 December 2018 (CA.38 - CA.46), previously circulated.

2. APOLOGIES FOR ABSENCE

Resources Management

3. COMMERCIAL PROPERTY PORTFOLIO

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This report seeks approval to the principal of acquiring commercial investment properties to generate income for the Council.

In accepting the recommendations, Cabinet will approve and recommend to Council that a total Commercial Investment Portfolio budget of £40m is approved in principal and included in the Capital Programme 2019/20; £10,000 is allocated to develop the acquisition strategy funded from the Income Generating Reserves as detailed in paragraph 2.9 of the report; the Acquisition Strategy is reported back to Cabinet and Council for approval and that a decision on whether to proceed with the Commercial Property Investment Portfolio be made at this time and the proposed decision making process for commercial investments be approved by Cabinet.

Relevant Ward(s): All Wards

Policy Implementation

4. ANIMAL WELFARE REGULATIONS 2018

9 - 18

This report introduces the requirements of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 which came into force on the 1 October 2018 and are made under the Animal Welfare Act 2006.

In accepting the recommendations, Cabinet will approve and recommend to Council the introduction and enforcement of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 as detailed within the report; the licence fees and charges included in Appendix A with future authority being delegated to the Chief Executive to review these as necessary and that the revised Animal Welfare Licensing Enforcement Policy attached at Annex B of the report be added to the Leisure and Environment Directorate Enforcement Policy.

Relevant Ward(s): All Wards

5. PUBLIC SPACE PROTECTION ORDERS

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This report seeks consideration of a proposal to implement a Public Space Protection Order at Leeming Bar and Thirsk Industrial Estates to help address persistent anti-social behaviour.

In accepting the recommendations, Cabinet will approve and recommend to Council the implementation of a Public Space Protection Order and an effective enforcement regime on the Leeming Bar Estate and surrounding area as identified in paragraph 1.12 of the report; a detailed review of the Leeming Bar area Public Space Protection Order following the initial 6 month period; following the outcome of the initial 6 month review of the Leeming Bar Public Space Protection Order and the specific circumstances in relation to Thirsk Industrial Estate, consideration of implementing a Public Space Protection Order at Thirsk Industrial Estate, with decision making authority delegated to the Chief Executive in consultation with the Leader and that Fixed Penalty Notices are set at £100, with authority delegated to the Chief Executive to review these as appropriate.

Relevant Ward(s): Bedale Ward; Thirsk Ward

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
15 January 2019

Subject: **COMMERCIAL INVESTMENT PROPERTY PORTFOLIO**

All Wards
Portfolio Holder for Economic Development and Finance: Councillor P R Wilkinson

1.0 PURPOSE AND BACKGROUND:

- 1.1 The purpose of this report is to seek approval for the principal of acquiring commercial investment properties to generate income for the Council. The Council's Commercial Vision as set out in the Commercial Strategy is to be self-sufficient by 2020/21 and not rely on Government grant to support the budget. This requires the Council to generate additional income of £400,000 in 2020/21, rising to £600,000 in 2021/22 and then £800,000 in 2022/23 as set out in the 10 year Financial Strategy. Acquiring commercial investment properties will help achieve those income targets.
- 1.2 The Council is currently in the process of acquiring its first commercial investment property, Treadmills Phase 1. While the capital expenditure is significant, the investment requires very little management and with tenants of strong covenants, poses a low risk to the Council.

2.0 PROPOSAL

- 2.1 The proposal is to increase the total budget for commercial property investment to £40,000,000 (including the purchase of Treadmills Phase 1). However, this figure could be increased or decreased if necessary. £40m could generate approximately £600,000 in annual revenue which would make a significant contribution to the Financial Strategy and exceeds the target set for 2020/21. The annual financing payment is estimated to be £1.4m, if £40m was borrowed for 50 years at an interest rate of 2.5% from the Public Works Loan Board. Interest rates are volatile and the Council would take the best opportunity to ensure favourable rates at the time of investment.
- 2.2 The proposal to acquire a commercial investment property portfolio has the potential to make a significant contribution to the Financial Strategy and therefore to the delivery of public services and projects to improve community, economic and environmental well-being of the District. However, the proposal is not without risks. The following measures will be put in place to reduce the management risks.

Proportionality

- 2.3 Advice from CIPFA is that borrowing for investment should be proportionate to the Council's overall budget. The finance costs would represent approximately 17.3% of the Council's current estimated budget for 2019/20 at £8.078m. 20% limit is deemed as an appropriate level for the commercial investment finance costs to be set as a proportion of the budget. The financing cost is deemed to be manageable if income from the investment properties was reduced, due to the Council's balance on reserves being £13.5m at quarter 2 2018/19. The finance costs as a proportion of the reserves is 12.96%. It is important to note that the main risk is a shortfall in net income, but it is highly unlikely for the entire net income to be eroded so a smaller proportion of funding would need to be found. The Council's reserves are allocated over 10 years in the financial strategy; this strategy would be reviewed and reported to Members at the earliest opportunity if there was to be a short fall in income.

Geographical and Sector Diversity

- 2.4 The commercial investment would be made across several assets in different sectors and geographies to reduce the risks associated with this investment. To ensure a low risk profile it is crucial to invest across the UK and in different sectors. The Council is already in the process of acquiring Treadmills Phase 1 within its administrative boundaries and, as part of a balanced portfolio, the Council would seek opportunities in other areas in the UK, outside the retail sector. Opportunities are likely to be sought in the industrial, warehousing and office sector.
- 2.5 Several Local Authorities have already invested in commercial property. The risk profiles of assets vary greatly and this is reflected in the yield of an asset. The higher the yield of a property the more income it generates as a proportion of its purchase price. However, a higher return on investment correlates with a higher risk of voids, maintenance costs, income shortfall and/or failing tenants. It is therefore crucial to acquire assets where a balance is struck between an acceptable return on investments and a low risk of income shortfall. The proposed budget of £40m would include all purchaser's costs associated with any acquisition. All commercial properties will be sought to be occupied under full repairing and insuring terms. The Council as Landlord is likely to insure the properties, but will be able to claim the costs back from tenants.

Investment Advisor

- 2.6 Approaches by agents would be motivated by the desire to sell a property and would not take into consideration whether these properties are a good investment for the Council. It is for this reason that a property investment advisor should be appointed to help develop and implement the Acquisition Strategy and act on behalf of the Council. Property investment advisors have established relationships that give them access to off-market opportunities, preferential treatment and the experience to avoid bidding wars. The investment advisor would be expected to produce quarterly reports to the Investment Board to report on the Council's Investment Portfolio, the commercial property market, any management issues emerging as well as any risks. The property investment advisor could also act as the property manager carrying out any management function (Licence for Alterations, landlord inspections, rent reviews etc). The management cost would be taken into account when establishing the net yield of the portfolio.
- 2.7 The Council will seek advice on the terms required in the tendering of the property investment advisor to ensure strict monitoring for the Council and to be able to hold the advisor to account.

Decision Making and Acquisition Strategy

- 2.8 A robust decision making process for making commercial investments would be devised to ensure that appropriate oversight, quality assurance and risk management is in place. This would include the Investment Board (as set out in the Cabinet Report "Commercial Opportunities" on the 9th October 2018). The Investment Board currently consists of the Chief Executive, the Deputy Chief Executive, the Finance Director (S.151 Officer) and the Director of Legal and Governance (Monitoring Officer). The role of the Investment Board and its membership will be reviewed and brought back to Cabinet.

2.9 The Council's policies for investment decisions would be set out in an Acquisition Strategy, which would be developed and approved by Council before any further purchases are made to avoid a reactive approach to market opportunities. This would ensure that any investments that are considered are in a strategic context. Within the Strategy an overall net yield between 4.5% and 5.5% should be targeted to balance risks and returns. Advice from property investment advisors shows that most Local Authorities are looking for a yield between 4.5% and 5.5%. The strategy would also consider thresholds and criteria for acquisitions which will provide safeguards to avoid overexposure to one particular location or sector.

3.0 CIPFA PRUDENTIAL CODE AMENDED DECEMBER 2017 AND STATUTORY GUIDANCE ON LOCAL GOVERNMENT INVESTMENTS (3RD EDITION) APRIL 2018

3.1 CIPFA's Prudential Code and the Statutory guidance on Local Government investments state that Council should not "borrow in advance of need" in reference to borrowing to invest in commercial property for profit. The interpretation of the Code and the Statutory Guidance has varied across organisations. However, a large number of Local Authorities have recently invested in Commercial Property in a bid to generate additional revenue. Investments within a Local Authority's administrative boundaries have been criticised less than those outside its boundaries. It is argued that this type of investment is not only carried out for profits but also to assist regeneration and to support economic development.

3.2 The increased borrowing by Local Authorities from the PWLB to fund property investments and the continued ambiguity around what constitutes "borrowing in advance of need" to invest in commercial property for profit has prompted CIPFA to release a statement on the 18th Oct 2018 stating that

"local authorities *must not* borrow more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed."

It further states that

"CIPFA considers that where the scale of commercial investments including property are not proportionate to the resources of the authority, that this is unlikely to be consistent with the requirements of the Prudential Code and the Treasury Management Code."

3.3 The Council is mindful of the CIPFA prudential Code and does not propose to borrow more than or in advance of need. The capital expenditure for the commercial investment portfolio will be incorporated into the Council's capital programme where the borrowing of the Council will be looked at in its totality within its capital financing requirement and the appropriate Authorised Borrowing Limit will be set in the Treasury Management Strategy Statement and approved by Council in February 2019 prior to any commercial investment occurring. In addition, in relation to commercial investment and proportionality this is described in paragraph 2.2 above in this report.

3.4 The Statutory Guidance on Local Government Investments (3rd edition) sets out the expectations in terms of disclosures where a Local Authority chooses to disregard part of the Prudential Code which includes risk management of any potential income shortfall (Paragraph 47).

"Where a local authority chooses to disregard the Prudential Code and this Guidance and borrows or has borrowed purely to profit from the investment of the extra sums borrowed the Strategy should explain:

- *Why the local authority has decided not to have regard to this Guidance or to the Prudential Code in this instance; and*

• *The local authority's policies in investing the money borrowed, including management of the risks, for example, of not achieving the desired profit or borrowing costs increasing.*"

- 3.5 The Council will address the issues set out in the Statutory Guidance on Local Government Investment in the Capital Strategy and the proposed Acquisition Strategy; this is a new requirement prior to the beginning of each financial year and will be presented to Cabinet and Council in February 2019. In addition these matters will also be address in a future report to members on this Commercial Investment portfolio.
- 3.6 In addition CIPFA is of the view, as well as is stated in the guidance, that if a local authority invests outside its boundary, using borrowing to support this, in other areas of the UK to generate profit then it may be hard to justify this as it is not for core services to the resident. CIPFA is aware of the requirement for local authorities to support themselves due to reduction in Government funding however if commercial property investments are looked at in isolation then the local authority will be open to scrutiny to justify the borrowing for this this. If reserves where used to fund the commercial property investment then this would be in accordance with the guidance. The reserves of the Council is currently only £13.5m and this is already allocated in the 10 year financial strategy and is part of the capital programme.
- 3.7 The Council believes that in accordance with the Prudential Code and investment guidance that if the capital programme is reviewed as whole and borrowing is for the entirety of the capital programme and property investment is looked at within this then this commercial property capital expenditure investment could be considered as justifiable. For example if property investment occurred in Scotland and the income generated form this support the Business & Economy Section (not a statutory service) then this enables resident to receive a valuable service to help them with their business through 'lunch & learn', conferences, funding opportunities etc. As long as the local authority can clarify and confirm its position on prudence then this is in line with the code. (It should be noted that this is not the view of the Council's treasury management advisor Link Asset Services who believe that investment should be maintained within the boundary)
- 3.8 Consideration of the Minimum Revenue Provision statement is also key - Guidance issued by the Secretary of State under section 21(1A) of the Local Government Act 2003 – where it suggests that the life of an asset should not be greater than 50 years. If a local authority deems an asset to have a life greater than 50 years then a professional advisor is required by the local authority to support this. Currently, the financial costs have been calculated using an asset life of 50 years and therefore this is likely to be the steer to the Property Investment advisor. However the Council currently in its investment of the Treadmills site phase 1 has had professional advice to support the asset life at 60 years. Therefore in due course when the Commercial Property advisor is reviewing the Council's future portfolio, they will consider asset life at that time.
- 3.9 The guidance also suggests a range of indicators should be established and reviewed on a regular basis as part of the Capital Strategy; this will be available for approval at Cabinet and Council in February 2019 before the beginning of the 2019/20 financial year. The Capital Strategy will address non-treasury investments, such as the commercial investment portfolio discussed in this report. The strategy is likely to include Key Performance Indicators such as Debt to Net Service Expenditure (NSE) ratio, Loan to Value Ratio and Investment Cover Ratio. Additionally, the trend of operating costs should be monitored. The strategy may also consider a minimum yield that may be acceptable to the Council, which is described in this report for the commercial investment at between 4.5% and 5% as described above in paragraph 2.9.

4.0 LINK TO COUNCIL PRIORITIES:

4.1 This project is instrumental in meeting the Council’s commercial vision of becoming self-sufficient in 2020/21. Securing this commercial income will underpin the delivery of the Council’s priorities across all departments.

5.0 RISK ASSESSMENT:

5.1 Risk in approving the recommendations

Risk	Implication	Prob*	Imp*	Total	Preventative action
Management costs increasing or higher than expected	Depending on the scale of cost increase, additional income streams may need to be identified to maintain funding of Council Services at the same level	3	4	12	Careful choice of property, tenants as well as monitoring through the Investment Board and property investment advisor input
Rental income reducing due to business failures or delay in reletting units	Depending on the scale of income reduction, additional income streams may need to be identified to maintain funding of Council Services at the same level	3	4	12	Careful monitoring through the Investment Board and property investment advisor, also advice from property investment advisor regarding market intelligence
Legislation is introduced that prohibits Local Authorities to borrow for commercial profit	The Council may need to reduce its total budget for property acquisitions	3	4	12	If borrowing has occurred prior to any legislation being introduced this is unlikely to impact on the Council’s acquisition strategy
There is insufficient knowledge within the Council to support this commercial investment	Opportunities are missed and risk unidentified	3	4	12	Regular monitoring reports from Property Investment advisor should minimise this risk

5.2 The key risk in not approving the recommendations are as shown below:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
The Council struggles to find alternative income streams	Reduction of services and projects	4	4	16	Explore further savings and efficiencies
The Council embarks on higher risk projects to secure additional income	The income is potentially volatile and at risk	4	4	16	Fully appraise each project and consider all risks

- 5.3 The main risk in investment in commercial property is the shortfall of net income either through vacancies, increased operating costs or reduced rent. This risk can be mitigated through securing investment grade tenants with a strong credit rating. The diversification of the property portfolio in terms of sectors and geographies reduces the risk exposure significantly. The risk that the entire net income would be eroded is highly unlikely due to the anticipated diversity of the portfolio.
- 5.4 While there is a risk that asset values could decrease, the nature of the anticipated tenancies means that rent should increase and without a significant shift of yields the asset values should increase. A particular focus of the acquisition strategy will be to ensure that asset values are maintained, which is likely to mean that new built or refurbished properties will be considered for purchase. The initial purchase costs (legal, agent's fees etc.) mean that the initial capital expenditure will be higher than the asset value that could be realised. However, as part of the on-going monitoring, the asset value and portfolio value will be formally assessed on an annual basis and also on an on-going basis to determine any potential risks.

6.0 FINANCIAL IMPLICATIONS:

- 6.1 The following table shows the impact on the Council's income by investing £40m, taking into account financing (borrowing at 2.5% over 50 years) and assuming a net yield of 5% of the portfolio. The net yield takes into account all purchaser's and management costs. The return to the Council following financing is set out in the table below. In reality not the entire £40m would be invested at the same time, but over a longer period when appropriate opportunities become available and the Council successfully bids for these.

	Year 1-5	Year 6-10
Annual Net income	2,000,000	2,318,548
Net Initial Yield	5.00%	5.80%
Annual Financing Cost	-1,402,284	-1,402,284
Net annual return to Council	597,716	916,264
Yield to council	1.49%	3.05%

- 6.2 The type of acquisitions that the Council would consider, are likely to have 5 yearly rent reviews linked to the Retail Price Index (RPI). The table above is assuming a compound annual increase of 3% which results in the increase of income from year 6. The table is only an indication as the timing of rent reviews, the staggered purchase of properties and varying yields will result in a different income profile, which can only be determined as and when properties become available for purchase. Advice from property investment advisors suggests that it would take between 6-12 months to acquire properties of £40m (less purchaser's costs) taking into account that the purchase of Treadmills Phase 1 is with solicitors.
- 6.3 A large number of Councils are investing in commercial property within and outside their administrative boundaries. Several authorities have used Public Works Loan Board (PWLB) funding to finance the acquisitions. The scale at which Local Authorities have borrowed to finance property investments has raised concern and CIPFA has issued a statement on this matter (see Section 3).
- 6.4 The development of an acquisition strategy by a property investment advisor is estimated to cost £10,000 and this will be funded from the Income Generating Fund. It is proposed that the acquisition strategy is then approved by Cabinet.

6.5 The ongoing financial implications of the whole commercial portfolio will be included in the Capital Strategy to be approved prior to the beginning of the financial year in February 2019. This will include indicators which will allow Members to monitor the commercial portfolio on a quarterly basis in the regular revenue, capital and treasury management financial monitoring reports.

7.0 LEGAL IMPLICATIONS:

7.1 The Council has sought legal advice to confirm under which legal powers it is acquiring commercial properties, Counsel's advice on the legal status of the CIPFA guidance and how the proposals in this report fit with the guidance. The advice had not been received at the time of writing the report, so this will be reported verbally at the meeting.

7.2 The value of the contract with the property investment advisor is likely to be above OJEU thresholds and would therefore need to follow the appropriate procurement routes unless an appropriate framework can be identified.

8.0 EQUALITY/DIVERSITY ISSUES

8.1 Equality and Diversity Issues have been considered however there are no issues associated with this report.

9.0 RECOMMENDATIONS:

9.1 That Cabinet approves and recommends to Council that:-

- (1) a total Commercial Investment Property Portfolio budget of £40m is approved in principal and included in the Capital Programme 2019/20;
- (2) £10,000 is allocated to develop an Acquisition Strategy funded from the Income Generating Reserves as detailed in paragraph 2.9;
- (3) the Acquisition Strategy is reported back to Cabinet and Council for approval and that a decision on whether to proceed with the Commercial Property Investment Portfolio be made at this time.
- (4) the proposed decision making process for commercial investments be approved by Cabinet.

MICK JEWITT
DEPUTY CHIEF EXECUTIVE

Background papers: None

Author ref: HH

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HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
15 January 2019

Subject: ANIMAL WELFARE REGULATIONS 2018

All Wards

Portfolio Holder for Environmental Health, Waste and Recycling: Councillor S Watson

1.0 PURPOSE AND BACKGROUND:

- 1.1 The purpose of this report is to introduce the requirements of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 which came into force on the 1 October 2018 and are made under the Animal Welfare Act 2006.
- 1.2 The primary aim of the Regulations is to protect animal welfare by introducing modern and consistent welfare standards, simplifying the current licensing model and ensuring that there is a risk based approach to inspection and licensing.
- 1.3 The new licensing regime applies to the selling of animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs and keeping or training animals for exhibition. The Regulations prescribe conditions for all the activities, removing any locally agreed conditions and the Chartered Institute of Environmental Health's model conditions.
- 1.4 The Regulations replace the individual statutes that applied to the activities described above, including the legislation that governed performing animals which was previously enforced by the County Council. The remit for performing animals is widened in the Regulations to include animals that are exhibited, for example, mobile animal attractions.
- 1.5 Following an application for a licence the Council must be satisfied that the application provides the required information relating to the licensable activity and then must carry out an inspection of the activity to assess compliance with the Regulations and the licence conditions. The inspecting officer will determine whether a licence is granted for one, two or three years using the risk assessment criteria provided in the Procedural Guidance to the Regulations. Activities where high standards of compliance are identified will be granted a three year licence, generally very good standards a two year licence and where minimum compliance is identified a one year licence will be granted. Where new licence applications are received and the applicant has no compliance history they will be regarded as high risk for the purposes of the risk assessment. Licences for performing animal activities will be granted for three years and a risk assessment is not required. Unannounced enforcement monitoring visits will be undertaken at those premises which are granted a two or three year licence.
- 1.6 Inspections of new breeding establishments and riding establishments must also be undertaken by the Council's appointed veterinarian. Inspecting officers will also use the services of appointed veterinarians in any premises where there are risks or potential risks to animal welfare.
- 1.7 A star rating scheme (one to five, with five being the best) has been introduced which is determined from the risk assessment criteria. The star rating must be included on the licence and the licence must be displayed at the premises. Safeguards are built into the scheme in particular there is an appeal process if an operator disputes the rating that has been awarded and the right to request a re-inspection to improve the rating given to the business. Appeals against star ratings will be determined by a competent officer in the Council or another local authority if required. The information relating to licences and star ratings will be published on the Council's website.

- 1.8 Enforcement powers are provided both in the Regulations and the Animal Welfare Act 2006 and include powers to vary, suspend and revoke a licence with or without consent and to take immediate action to protect animal welfare. The right of appeal is provided in the Regulations for a business operator who is aggrieved by a decision to refuse to grant or renew a licence or to revoke or vary a licence. Appeals must be made to the First-tier Tribunal (General Regulatory Chamber) which is part of HM Courts and Tribunal Service to handle appeals against decisions made by regulatory bodies.
- 1.9 The Regulations allow for local authorities to charge fees to cover the reasonable costs of carrying out their responsibilities. The fees are related to the licensing regime as follows:
- Consideration of the licence application (application fee).
 - Consideration of the licence holder's compliance with the Regulations and the licence conditions including the cost of inspection (compliance visit).
 - The anticipated costs of enforcement in relation to the licensable activity (annual enforcement fee).
- 1.10 Additional fees will be charged for any variation or addition to a licence and for re-rating inspections. A licence is automatically revoked if the fees are not paid. The fee structure is provided at Appendix A.
- 1.11 The Regulations require local authorities to submit an annual data return in electronic format to the Department for the Environment Food and Rural Affairs. This will include information relating to the number of licences granted and the average level of fees charged in the reporting period.
- 1.12 It is anticipated that by publishing information relating to the star rating and from the annual return this will reduce the burden on the Environmental Health service to respond to 'Freedom of Information' requests.
- 1.13 The new regime will place an increased demand on the Environmental Health service. In 2017-18 45 licence inspections were carried out and in 2018-19 it is currently anticipated that 62 inspections will be required; however this could increase as the Regulations introduce new criteria for breeders which will result in an increase to those requiring a licence.
- 1.14 To enforce the Regulations officers must be appointed as Inspectors and hold an accredited Level 3 certificate in inspecting and licensing animal activities. Officers who do not hold this certificate must be able to demonstrate at least one year of experience in this field; however by 2021 all officers must have undertaken and passed the Level 3 training to continue to enforce the Regulations. Presently officers in the Environmental Health service do not hold this certificate however two officers are able to demonstrate suitable experience. Therefore at least two officers must undertake the Level 3 certificate which is a five day course with assessment and the current cost of the course is almost £1000 plus travel expenses and lost productivity whilst the officers are away from their normal duties. It is intended that this expense will be covered by the license fees.
- 1.15 The Environmental Health service will provide for the enforcement of the Regulations through the Animal Welfare Licensing Enforcement Policy and ensure that only suitably qualified and competent officers are authorised to enforce the Regulations in accordance with the Councils Scheme of Delegation and delegated powers. The updated Animal Welfare Licensing Enforcement Policy is provided at Appendix B and should be read in conjunction the Leisure and Environment Directorate Enforcement Policy.

2.0 LINK TO COUNCIL PRIORITIES:

2.1 Enforcing the requirements of Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 will contribute to the delivery of three of the Council's key priorities: Enhancing Health and Well Being, Driving Economic Vitality and Providing a Special Place to Live.

3.0 RISK ASSESSMENT:

3.1 There are no key risks with implementing the recommendation.

3.2 The key risk is in not approving the recommendation as shown below:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
Failure to enforce the Regulations and not fulfil the Council's statutory duty.	Risks to animal welfare standards if the Regulations are not suitably enforced and non-compliant businesses are allowed to operate creating an unfair trading environment. This could also result in reputational damage to the Council.	4	3	12	The Regulations are enforced and suitable penalties are in place.

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

3.3 Overall the risk of agreeing with the recommendation outweighs the risk of not agreeing the recommendation and is considered acceptable as the Authority has a statutory duty to enforce the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

4.0 FINANCIAL IMPLICATIONS:

4.1 At this stage it is estimated that the implementation of the Regulations will be cost neutral. As identified in paragraphs 1.8 and 1.12 the costs associated with the introduction will be covered by the income generated from the new scheme. Uncertainty with the number and frequency of inspections, and therefore the officer time required and consequent income generated, make it difficult to accurately predict the financial implications, however, regular quarterly monitoring will ensure that any variation from cost neutrality is reviewed. The income from the licence fees will be used to fund the costs of enforcing the Regulations and will therefore be within the existing revenue budget for the Environmental Health service.

5.0 LEGAL IMPLICATIONS:

5.1 The Regulations identify local authorities as the enforcing authority, providing powers to ensure compliance with the Regulations in respect of prescribed activities within its area.

6.0 EQUALITY/DIVERSITY ISSUES

6.1 Equality and Diversity issues have been considered however there are no implications associated with this report.

7.0 RECOMMENDATIONS:

7.1 That Cabinet approves and recommends to Council:

- (1) the introduction and enforcement of the requirements of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018;
- (2) the licence fees and charges included in Appendix A, with future authority being delegated to the Chief Executive to review these as necessary; and
- (3) the revised Animal Welfare Licensing Enforcement Policy at Appendix B and that this be added to the Leisure and Environment Directorate Enforcement Policy.

PAUL STAINES
DIRECTOR OF LEISURE AND ENVIRONMENT

Background papers:

Animal Welfare Act 2006

<https://www.legislation.gov.uk/ukpga/2006/45>

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

<https://www.legislation.gov.uk/ukdsi/2018/9780111165485>

Guidance to the Regulations

http://www.cfsg.org.uk/_layouts/15/start.aspx#/The%20Animal%20Welfare%20Licensing%20of%20Activities%20Involvi/Forms/AllItems.aspx

Leisure and Environment Directorate Enforcement Policy

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Appendix A - Animal Welfare Licensing Fees

New Breeders

	One Year Licence	Two Year Licence	Three Year Licence
Application Fee	£150.00	£150.00	£150.00
Compliance Visit	£115.00	£115.00	£115.00
Annual Enforcement visit		£65.00	£65.00
			<u>£65.00</u>
Total	<u>£265.00 + vet fee</u>	<u>£330.00 + vet fee</u>	<u>£395.00 + vet fee</u>

Existing breeders

As above without the vet fees

Animal Boarding, Animal Day Care and Sale of Pets

	One Year Licence	Two Year Licence	Three Year Licence
Application Fee	£175.00	£175.00	£175.00
Compliance Visit	£115.00	£115.00	£115.00
Annual Enforcement visit		£65.00	£65.00
			<u>£65.00</u>
Total	<u>£290.00</u>	<u>£355.00</u>	<u>£420.00</u>

Home Boarder

	One Year Licence	Two Year Licence	Three Year Licence
Application Fee	£150.00	£150.00	£150.00
Compliance Visit	£115.00	£115.00	£115.00
Annual Enforcement visit		£65.00	£65.00
			<u>£65.00</u>
Total	<u>£265.00</u>	<u>£330.00</u>	<u>£395.00</u>

Home Boarder Arranger

	One Year Licence	Two Year Licence	Three Year Licence
Application Fee	£75.00	£75.00	£75.00
Compliance		£44.00	£44.00
Compliance			£44.00
Total	<u>£75.00</u>	<u>£119.00</u>	<u>£163.00</u>

Additional host or site

£65.00

Performing Animals

	Three Year Licence
Application Fee	£175.00
Compliance Visit	£115.00
Annual Enforcement visit	£65.00
	<u>£65.00</u>
Total	<u>£420.00</u>

Riding Establishments

<10 Horses

	One Year Licence	Two Year Licence	Three Year Licence
Application Fee	£190.00	£190.00	£190.00
Compliance Visit	£115.00	£115.00	£115.00
Annual Enforcement visit		£65.00	£65.00
			<u>£65.00</u>
Total	<u>£305.00 + vet fee</u>	<u>£370.00 + vet fee</u>	<u>£435.00 + vet fee</u>

10 - 20 Horses

	One Year Licence	Two Year Licence	Three Year Licence
Application Fee	£230.00	£230.00	£230.00
Compliance Visit	£115.00	£115.00	£115.00
Annual Enforcement visit		£65.00	£65.00
			<u>£65.00</u>
Total	<u>£345.00 + vet fee</u>	<u>£410.00 + vet fee</u>	<u>£475.00 + vet fee</u>

>20 Horses

	One Year Licence	Two Year Licence	Three Year Licence
Application Fee	£275.00	£275.00	£275.00
Compliance Visit	£115.00	£115.00	£115.00
Annual Enforcement visit		£65.00	£65.00
			<u>£65.00</u>
Total	<u>£390.00 + vet fee</u>	<u>£455.00 + vet fee</u>	<u>£520.00 + vet fee</u>

Variation or addition of licensable activities

Application Fee	£35.00
Inspection (if required)	£115.00

Re-rating Inspection £150.00

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Appendix B Environmental Health: Enforcement Policy - Animal Welfare

Animal Welfare	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
No Action	Enforcement options shall not be considered where there is no risk to animal welfare and/or public health from the activities of the business/undertaking.
Informal action This may take the form of: <ul style="list-style-type: none"> • Advice • Verbal warning • Inspection reports 	Informal action will be initiated in circumstances including where: <ul style="list-style-type: none"> • The act or omission is relatively minor, for example, there is a minor non-compliance with a licence condition. • From the operators/businesses' past history it can be reasonably expected that informal action will achieve compliance. • Confidence in the operators/businesses' management practices is high. • The consequence of non-compliance will not pose a significant risk to animal welfare and/or public health.
Statutory Action	Formal action will be initiated in circumstances including where: <ul style="list-style-type: none"> • There is a contravention of a relevant statutory provision. • The licence conditions are not met. • The situation is unlikely to be remedied by informal means. • There is a risk or potential risk to animal and/or public health. • A licensable activity is operating without a licence.
Refusal of a license	Licence applications can be refused on the grounds specified in the relevant legislation and the general criteria used for considering this action include: <ul style="list-style-type: none"> • The licence conditions will not be met. • The appropriate fee has not been paid. • The inspection by an officer and/or an appointed veterinarian (as appropriate) of the premises/business has identified non-compliance with the licence conditions. • The applicant is not a suitable person and/or has been previously disqualified under any of the relevant legislation and/or has been convicted of an offence of any relevant legislation. • There will be a detrimental effect to the public interest on the grounds of safety, nuisance or similar. • Planning permission has not been granted or has been refused for the premises. • A zoo license will not be granted if the continuance of the zoo would injuriously affect the health and safety of persons living in the neighbourhood or seriously affect the preservation of law and order or conservation measures are not in place.
Suspension, variation, alteration or revocation of a license	Licenses can be suspended, varied or revoked on the grounds specified in the relevant legislation and the general criteria used for considering these actions include: <ul style="list-style-type: none"> • Licence condition/s are not being met. • There is a contravention of a relevant statutory provision. • Information supplied by the licence holder is false or misleading. • It is necessary to protect the welfare of the animal. • Legal action is being taken or considered. <p>Variation will generally be considered when adjustments need to be made to the licence or to the premises/animals referred to in the licence.</p> <p>Alterations to zoo licences may require a section of the zoo where a licence condition is not being met to be closed to the public.</p> <p>Suspension will generally be considered when the operator fails to meet administrative conditions or provide information when requested.</p>

Animal Welfare	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
	<p>Revocation will be considered when poor standards of welfare are identified or where it would be otherwise beneficial to the welfare of the animals to be removed from the activity.</p> <p>If it is necessary to protect the animal welfare, immediate action will be taken which will be specified in any notice to vary, suspend or revoke a licence.</p> <p>Revocations for licences granted in accordance with the Dangerous Wild Animal 1976 will not include those conditions specified in the Act.</p> <p>The power to revoke a licence lies with the Council's Licensing and Appeals Hearings Panel.</p>
Zoo Directions	<p>Zoo directions will be made when license condition/s are not met.</p> <p>The direction may stipulate that the zoo or part of the zoo is closed to the public for a period time when steps are being taken to ensure the licence condition/s are met.</p> <p>Zoo directions maybe varied including increasing the time period for compliance.</p>
Zoo Closure Direction	<p>A zoo closure direction will be made when:</p> <ul style="list-style-type: none"> • A licence condition giving effect to any conservation measure which has been stipulated in a direction and has not been met within the time period specified. • The zoo licence holder cannot be found after reasonable enquiries have been made. • The zoo no longer opens on seven or more days in a twelve-month period and it will not be opening on seven or more days in any future twelve-month period. <p>A zoo closure direction may be made when:</p> <ul style="list-style-type: none"> • A licence condition other than one giving effect to any conservation measure which has been stipulated in a direction and has not been met within the time period specified. • Reasonable requirements relating to the premises or conduct of the zoo which have been notified to the licence holder following any inspection are not complied within a reasonable period of time. • The zoo has been conducted in a disorderly manner or that a nuisance has been caused, or there has been a breach of any condition of the licence. • The licence holder has been convicted of an offence referred to in section 4(4) Zoo Licensing Act 1981 or a keeper at the zoo, in the knowledge of the licence holder, has been so convicted. <p>An unlicensed zoo will be closed when:</p> <ul style="list-style-type: none"> • The operator cannot be found. • Having given the operator at least 35 days' notice that a closure direction will be made and no notice of intention to apply for a licence has been made. • An application for a licence has not been made within three months of the notice of intention to apply for licence being made. <p>When a zoo closure direction is made, the zoo's licence is automatically revoked. Therefore any decision to make a zoo closure order would be taken by the Council's Licensing and Appeals Hearings Panel.</p>

Animal Welfare	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Directions applicable to permanently closed zoos	Zoo directions can be made following the permanent closure of zoo to allow for arrangements to be made to ensure the welfare of the animals and for the disposal of animals if required when the operator's plans for such arrangements are not made and carried out.
Simple Caution	Simple Cautions will be used under the following circumstances: <ul style="list-style-type: none"> • To deal quickly and simply with less serious offences. • To divert offenders where appropriate from appearing in criminal courts; and • To reduce the likelihood of re-offending. • Simply cautions are issued in accordance with Home Office Circular 30/2005.
Prosecution	Prosecutions may be taken under one or more of the following circumstances including: <ul style="list-style-type: none"> • The licence conditions are contravened or not complied with. • An animal has been allowed to suffer unnecessarily. • A poison has been administered to an animal. • The welfare needs of animals have not been met. • The offence is serious. • There is a poor history of compliance. • There has been a failure to comply with a statutory notice or there has been a repetition of a breach that was subject to a simple caution. • False information has been supplied wilfully, or there has been intent to deceive, in relation to a matter which gives rise to significant risk. • Inspectors have been obstructed from exercising their powers. • Operating a licensable activity without a licence. • Failing to comply with a zoo direction and/or zoo closure direction.

Seizure of animals

Under section 4 of the Dangerous Wild Animals Act 1976, the Local Authority has the power to seize and dispose of animals without compensation where a person is keeping a dangerous wild animal without a licence or does not comply with licence conditions. In addition the Local Authority may recover all the costs incurred in this activity.

Relevant legislation and guidance includes:

Animal Welfare Act 2006

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

Dangerous Wild Animals Act 1976

Zoo Licensing Act 1981

http://www.cfsg.org.uk/_layouts/15/start.aspx#/The%20Animal%20Welfare%20Licensing%20of%20Activities%20Involvi/Forms/AllItems.aspx

<https://www.gov.uk/government/publications/zoo-licensing-act-1981-guide-to-the-act-s-provisions>

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HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
15 January 2019

Subject: PUBLIC SPACE PROTECTION ORDERS

**Exelby, Leeming and Londonderry and Thirsk Wards
Portfolio Holder for Leisure: Councillor Mrs B S Fortune**

1.0 PURPOSE AND BACKGROUND:

- 1.1 To consider a proposal to implement a Public Space Protection Order at Leeming Bar and Thirsk Industrial Estates to help address persistent anti-social behaviour.
- 1.2 Over the last three years concerns have been raised by local residents and businesses about the persistent anti-social behaviour displayed predominately overnight by lorry drivers in the Leeming Bar and Thirsk Industrial Estates. The anti-social behaviour that has been reported is stated to be having a detrimental effect on the quality of life of those in the area which includes littering, early morning engine noise, criminal damage, refrigeration noises through the night, inappropriate parking, road safety concerns and human excrement left on premises including children's nurseries and residents gardens. Recent late evening spot checks on both estates evidence that between 15 and 40 vehicles continue to be parked on each estate or surrounding area on most weekday evenings.
- 1.3 As a result of this behaviour consideration is being given to introducing a Public Space Protection Order. Public Space Protection Orders were introduced by the Anti-social Behaviour, Crime and Policing Act 2014 and are intended to deal with a particular nuisance or problems in a particular area that is detrimental to the local community's quality of life. Unitary and district councils are responsible for making Public Space Protection Orders although Hambleton District Council has not previously implemented such an order.
- 1.4 A Public Space Protection Order imposes conditions on the use of the area over which it is introduced. Home Office statutory guidance states that proposed restrictions should focus on specific behaviours and be proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring. Orders can be introduced for up to three years, and may be extended beyond this for a further three years where certain criteria are met. The proposed length should reflect the need for an appropriate and proportionate response to the problem issue.
- 1.5 Previous multi agency discussions have not identified a suitable long term solution and a recommendation to introduce Public Space Protection Orders over both Leeming Bar and Thirsk Industrial Estates with the following restrictions is proposed:
 - 1.5.1 All persons shall not be permitted to remain overnight in any vehicles including a HGV or campervan or motorhome or a temporary structure that is designed or intended to provide shelter or accommodation.
 - 1.5.2 If instructed to do so by an authorised officer a person shall clear away any vehicles, temporary structure and/or associated paraphernalia without delay
- 1.6 Prior to a Public Space Protection Order being made the Council is required to consult key stakeholders including the Police, parish/town councils, North Yorkshire County Council, the community and land owners. The purpose of the consultation is to help identify the issues that need to be included in the Public Space Protection Order, as well as to provide the opportunity to discuss the practicalities of introducing a Public Space Protection Order with other agencies. Between 27 June 2018 and 25 July 2018 a public consultation was

held in the form of a survey (paper and on-line – see Appendix 1) with information published in the media (including social media and the council’s website). Leaflet drops to residents and businesses were also made and 4 consultation events were held in Leeming Bar and Thirsk for face to face discussions to take place.

1.7 Below is a summary of the key results of the consultation:

Do you agree with the proposed Public Space Protection Order for the areas identified on the maps?	Leeming Bar		Thirsk	
	YES	NO	YES	NO
All responses	158 (53%)	138 (47%)	83 (38%)	136 (62%)
Community and business responses only	158 (75%)	52 (25%)	83 (61%)	51 (39%)

1.8 When “all responses” are taken into account there is a small majority in favour of the proposal at Leeming Bar and a majority against it at Thirsk. “All responses” include 93 from lorry drivers who were against a Public Space Protection Order for both areas (regardless of which area they park). When consideration is taken of just the responses from the community and businesses 75% are in support of the proposals at Leeming Bar and 61% in support of the proposals at Thirsk. A full copy of the survey response is at Appendix 2.

1.9 In addition, the Council has engaged with North Yorkshire County Council Highways Authority who have expressed views on enforcement, displacement, signage and joint working. The Council is mindful of these matters and is addressing them in a constructive and reasonable manner, whilst not losing sight of the primary issue of anti-social behaviour. North Yorkshire County Council Highways comments are included in Appendix 3.

1.10 As part of the statutory consultation and long term problem solving to the issues being reported, the Council has engaged with and consulted with North Yorkshire Police. Responsibility for consideration of a Public Space Protection Order is delegated to the Neighbourhood Policing Inspector. Through detailed discussions and assessment of the consultation documents, the Hambleton Neighbourhood Policing Inspector fully supports the consideration of a Public Space Protection Order in both areas. The local North Yorkshire Police Neighbourhood Teams have been dealing regularly with complaints of the anti-social behaviour occurring and have worked alongside the Safer Hambleton Hub to try and tackle this issue in other ways – issuing educational leaflets, speaking with drivers etc. The Inspector fully recognises the detrimental impact this issue has on the local community as well as recognising that there are limited powers available to Police Officers to tackle this ongoing, persistent concern for residents and businesses. The Inspector acknowledges that any Public Space Protection Order would need careful and detailed evaluation within a suitable timeframe following introduction to assess the impact of the conditions.

1.11 There must be enforcement of the conditions if the Public Space Protection Order is to have any tangible impacts. Reliance upon CCTV provision would not be sufficiently effective given the widespread layout of the Industrial Estates. It is possible for delegation to be given to North Yorkshire Police to enforce the conditions through the use of a Fixed Penalty Notice payable to Hambleton District Council as per the legislation. The Hambleton Neighbourhood Policing Inspector has indicated that he would be happy for the local Neighbourhood Policing Teams to play a part in an effective and collaborative enforcement strategy. In order to ensure effectiveness of the enforcement powers, Hambleton District Council would need to consider all options. This could include engaging with Scarborough Borough Council to provide an enforcement service – subject to their agreement and the amendment to the North Yorkshire County Council deed of commitment, and amendment to Hambleton District Council’s agreement. Similarly the Director for Leisure and Environment could delegate authority to an authorised person(s) from within the council (or contract in) to undertake the enforcement role based on public reports or police statements.

- 1.12 Taking account of consultation results and views from North Yorkshire County Council and North Yorkshire Police it is proposed that a Public Space Protection Order is implemented at Leeming Bar Industrial Estate and surrounding area (Appendix 1) for up to the maximum 3 year period as set out in the Anti-Social Behaviour, Crime and Policing Act 2014, with a built in review at 6 months. Sufficient time also needs to be given to obtain any necessary planning permission for signage, effective implementation and advance warning to drivers and the community. This decision has taken into account that Hambleton District Council has previously provided planning permission for two lorry parks to meet demands and that the Leeming Bar Motel provides 24 hour toilet facilities at their lorry park. Lorry parks in the immediate area charge between £13 and £19 per night which can include a meal vouchers and access to facilities including Wi-Fi.
- 1.13 The 6 month review would include engagement with North Yorkshire County Council Highways, North Yorkshire Police and other key stakeholders. If the order has not worked and has just moved the problems elsewhere then the Public Space Protection Order could be discharged. If the order is proven to work, consideration will then be given to implementing a Public Space Protection Order at Thirsk Industrial Estate that addresses the specific issues encounter at this site.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 In addition to underpinning the Council's "Enhancing Health and Wellbeing" priority this proposal contributes to the Council's Community Leadership purpose to lead, engage and support all residents, businesses and communities across the district to enable everyone together to make a difference. The proposal is being made in response to the needs of the community, residents and businesses, and will result in the council working with partners to make best use of its devolved powers for local decision making.
- 2.2 This proposal also contributes to the Council's "Providing a Special Place to Live" priority by reducing crime and disorder (anti-social behaviour).

3.0 RISK ASSESSMENT:

3.1 Risks in approving the recommendations:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
Lorry displacement	Other areas then becoming affected by lorry drivers' anti-social behaviour	4	3	12	Ensuring that lorry parking facilities have capacity for more vehicles; clear signage for where lorries can park
Ineffective enforcement (or lack of)	The Public Space Protection Order is non-effective and the problems persists	4	3	12	A procedure will be agreed with clear performance measures to ensure that enforcement is carried out as required

3.2 The key risk in not approving the recommendations as shown below:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
Continued anti-social behaviour from lorry drivers	Continued complaints from residents and businesses, resulting in reputational damage to the Council	5	3	15	Action could continue to be managed through the Safer Hambleton Hub but with less of an impact without powers to remove people from the area

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

4.0 FINANCIAL IMPLICATIONS:

- 4.1 If a Public Space Protection Order is granted, there will be costs incurred for signage, enforcement of the orders and general operations.
- 4.2 It is recommended that the Fixed Penalty Notice should be set at £100 and all revenue from issued Fixed Penalty Notices would be payable to Hambleton District Council and used to off-set any expenditure associated with implementing and managing the order.
- 4.3 Overall the estimated annual indicative revenue effects of implementing and policing a Public Space Protection Order at Leeming Bar will be as follows:-

Revenue Effects (for 6 months)	2019/20 £
Cost of: <ul style="list-style-type: none">• Signage• Fixed Penalty Notice booklets• Training of authorised persons• Enforcement (2 hours per night x 5 nights x 6 months)	£1,000.00 £500.00 £100.00 £5,200.00
Financed by: Income from fixed penalties (indicative) at £100 each x 68 penalties (this has been estimated on a sliding scale over the period)	<u>£6,800.00</u>

- 4.4 Further consideration will be needed after completing the 6 month review should the Public Space Protection Order be discharged and/or the Public Space Protection Order at Thirsk be introduced. The future intention is that the financial implications of the exercise will be cost neutral.

5.0 LEGAL IMPLICATIONS:

- 5.1 The Crime and Policing Act 2014 has been introduced and designed to put victims at the heart of the response to anti-social behaviour and give professionals the flexibility they need to deal with any given situation through six powers, of which Public Space Protection Orders are one. District/Unitary Councils are responsible for making new Public Space Protection Orders although enforcement powers can be much wider. The process which has been followed to date of taking the land category into account, consulting all parties and the content and terms of the proposed Public Space Protection Order meets the requirement of the Act. Any interested party (who lives in, regularly works in or visits the restricted area) can challenge the Public Space Protection Order when it is made or varied. They must challenge within 6 weeks of the order being made or varied to the High Court. The High Court can suspend operation of the Public Space Protection Order whilst it is appealed and ultimately uphold, quash or vary the Public Space Protection Order.
- 5.2 The Convention rights of the Human Rights Act 1988 provided for in Article 8 (which provides for the right for the respect for one's home, private and family life), Article 10 (which provides for freedom of expression) and Article 11 (which provides for freedom of assembly and association) have been considered. These state that there shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others. Following the consultation undertaken it is not believed that any of these Convention rights are contravened by the proposed Public Space Protection Order in either area.

- 5.3 Should the Council agree to employ Scarborough Borough Council to enforce the Public Space Protection Order North Yorkshire County Council will be required to change their deed of commitment with Scarborough Borough Council to allow them to enforce the order when vehicles are parked on the highway, and Hambleton District Council will need to change its agreement with Scarborough Borough Council to allow for enforcement on public land.
- 5.4 Any signage related to the Public Space Protection Order does not fall within permitted signage within the Traffic Signs Regulations and General Directions 2016; therefore all associated signage will have to be located on land not in control of the Highway Authority for which planning permission may therefore be required.

6.0 EQUALITY/DIVERSITY ISSUES

- 6.1 A full Equality Impact Assessment has been completed but there are no equality impact concerns. The Equality Impact Assessment is attached at Appendix 4.

7.0 RECOMMENDATIONS:

- 7.1 It is recommended that Cabinet approves and recommends to Council:
- (1) the implementation of a Public Space Protection Order and an effective enforcement regime on the Leeming Bar Estate and surrounding area as identified in paragraph 1.12.;
 - (2) a detailed review of the Leeming Bar area Public Space Protection Order following the initial 6 month period;
 - (3) following the outcome of the initial 6 month review of the Leeming Bar Public Space Protection Order and the specific circumstances in relation to Thirsk Industrial Estate, consideration of implementing a Public Space Protection Order at Thirsk Industrial Estate, with decision making authority delegated to the Chief Executive in consultation with the Leader; and
 - (4) that Fixed Penalty Notices are set at £100, with authority delegated to the Chief Executive to review these as appropriate.

PAUL STAINES
DIRECTOR OF LEISURE AND ENVIRONMENT

Background papers: Public Spaces Protection Orders: Guidance for Council, Local Government Association 1 Feb 2018

Author ref: SL/LW/GA

Contact: Steven Lister
Head of Service Leisure and Environment
01609 767033

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Safer Hambleton Hub

Proposal to create a Public Space Protection Order (PSPO) for Thirsk and Leeming Bar Industrial Estates

Unauthorised camping in our public spaces has increased in recent years, particularly in the Industrial Estates and surrounding areas of Thirsk and Leeming Bar.

The lack of public amenities and waste disposal services often results in littering, inappropriate disposal of waste and damage to the facilities. Starting of engines and use of refrigeration units has also led to disturbances for local residents.

In response to the continued concerns of local residents and businesses, Hambleton District Council is inviting representations on the proposal to create a Public Space Protection Order (PSPO) to stop the unauthorised camping in any vehicle in the identified areas.

NOTICE is hereby given that Hambleton District Council in exercising its powers under the Anti-Social Behaviour, Crime and Policing Act 2014 ("The Act") sections 59-79, propose to make a Public Space Protection Order.

The Council therefore invite representations on its proposals to make the following offences under the Act. Proposed prohibited activity is described below:

- a. All persons shall not be permitted to remain overnight in any vehicle including a HGV or campervan or a temporary structure that is designed or intended to provide shelter or accommodation.
- b. If instructed to do so by an authorised officer a person shall clear away any vehicle, temporary structure and/or associated paraphernalia without delay.

Any person who fails without reasonable excuse to comply with this order shall commit an offence and is liable on summary conviction to a fine not exceeding Level 3 (currently £1000) on the standard scale.

The areas to which this PSPO would apply are:

- Thirsk Industrial Estate and surrounding area
- Leeming Bar Industrial Estate and surrounding area

The designated areas are outlined in red on the maps.

Any person who fails without reasonable excuse to comply with the PSPO may commit an offence and be liable on summary conviction to a fine not exceeding Level 3 (currently £1000) on the standard scale.

Fixed Penalty Notices (FPNs)

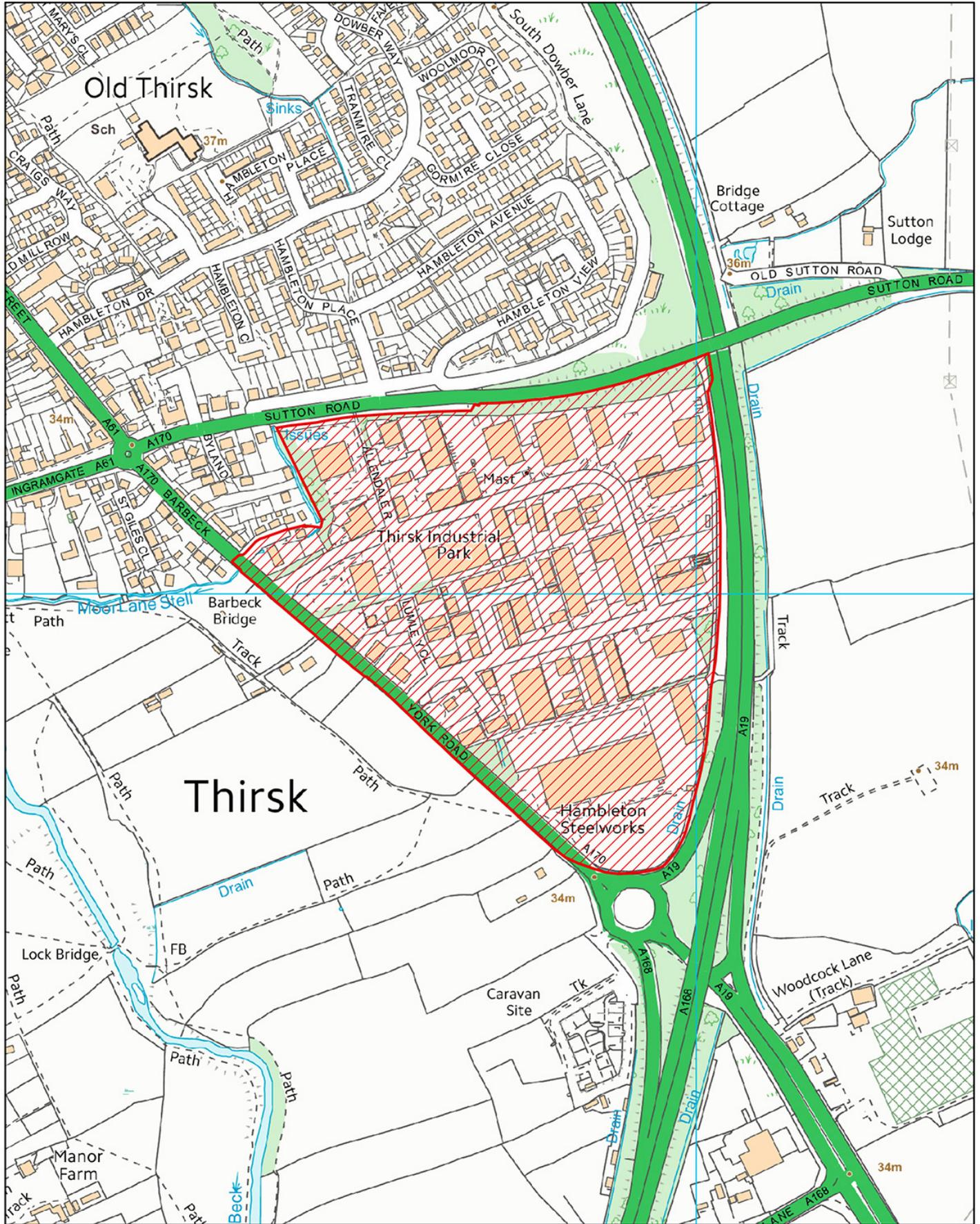
Hambleton District Council may issue FPNs to enforce the proposed PSPO and the proposed fine will be £100. Failure to pay may lead to prosecution.

Length of Order

It is proposed that the PSPO will last for three years (less one day) from the date of making.

Your Views

Please answer the following questions which will help to inform the proposed PSPO. Return details on page 4. If you prefer, complete this form online at hambleton.gov.uk/survey/pspo
Closing date for responses is **Wednesday 25 July 2018**



HAMBLETON
DISTRICT COUNCIL

Civic Centre, Stone Cross, Northallerton DL6 2UU
Telephone: 01609 779 977 Fax: 01609 767228

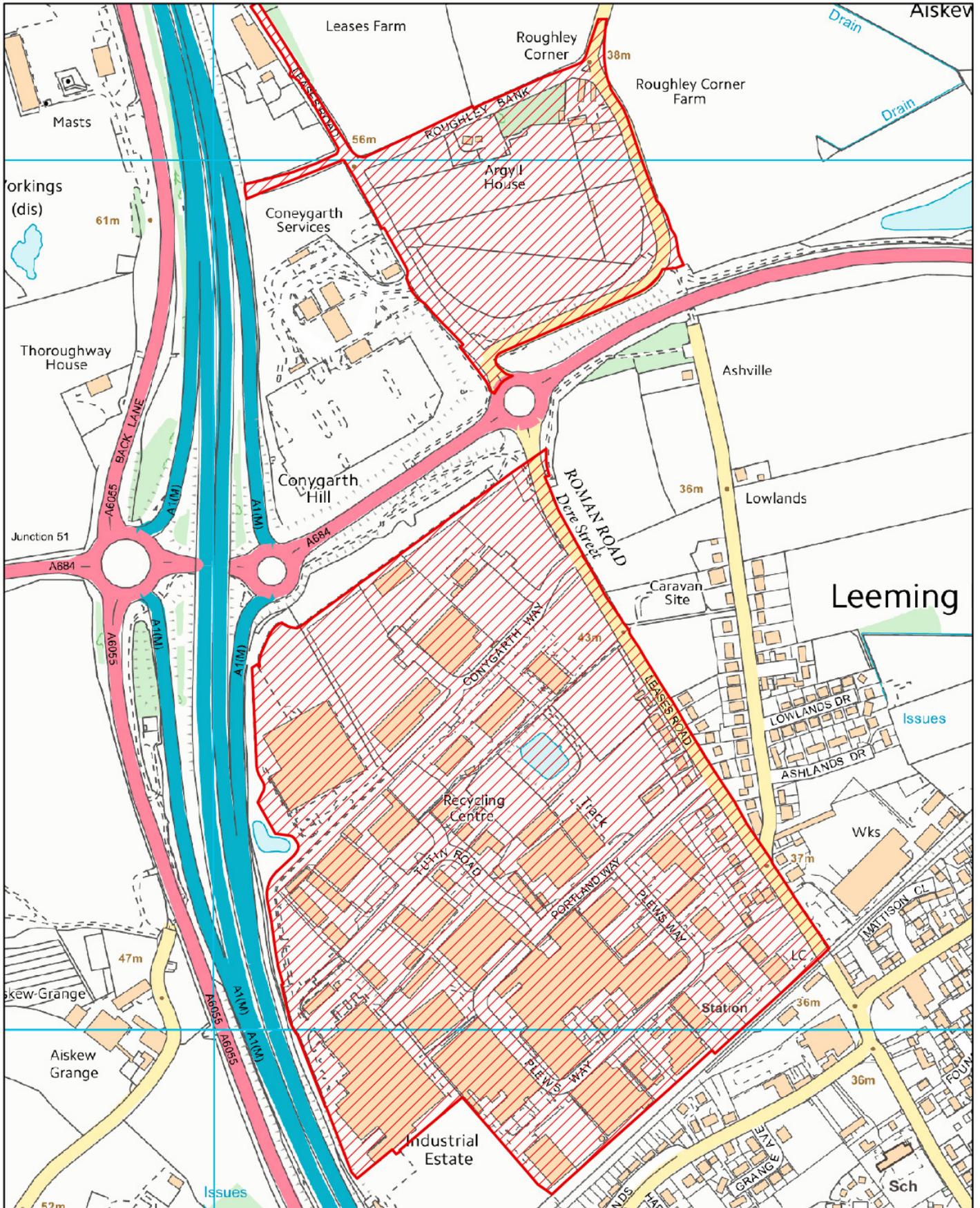
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1:5,525

Proposed Public Space Protection Order - Leeming Bar Industrial Estate / Coneygarth

12/06/2018



HAMBLETON
DISTRICT COUNCIL

Civic Centre, Stone Cross, Northallerton DL6 2UU
Telephone: 01609 779 977 Fax: 01609 767228

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1:5,525

Q1 Are you responding as a ...

- a) local resident in the vicinity of Thirsk Industrial Estate
- b) local resident in the vicinity of Leeming Bar Industrial Estate
- c) business of Thirsk Industrial Estate
- d) business of Leeming Bar Industrial Estate
- e) local community group or residents association
- f) Parish or District Councillor in an official capacity
- g) lorry driver who uses Thirsk Industrial Estate
- h) lorry driver who uses Leeming Bar Industrial Estate

Other:

Q2 If you answered a) to f) to question one, has the behaviour of those using the estates to stay overnight caused you, or those you represent, concern. Has the behaviour had a detrimental effect on the quality of life in the identified areas?

- Yes No

Please add any other comments:

Q3 If you answered g) or h) to question one please could you identify the main reason why you have parked up and camped overnight?

- Free to park Unplanned stop due to road works or traffic incident
- Lack of parking and overnight facilities in the area Other (detail below):

Q4 Do you agree with the proposed PSPO for the areas identified on the maps?

	Yes	No
Leeming Bar	<input type="checkbox"/>	<input type="checkbox"/>
Thirsk	<input type="checkbox"/>	<input type="checkbox"/>

Please explain your answer:



**Safer Hambleton Hub
Proposal to create a Public Space Protection Order (PSPO) for
Thirsk and Leeming Bar Industrial Estates**

July 2018

10 paper responses and 329 online responses received = 339 total

<i>Do you agree with the proposed PSPO for the areas identified on the maps?</i>	Leeming Bar		Thirsk	
	YES	NO	YES	NO
Response Summary:	158 (53%)	138 (47%)	83 (38%)	136 (62%)
<i>Response summary without lorry drivers</i>	<i>158 (75%)</i>	<i>52 (25%)</i>	<i>83 (61%)</i>	<i>51 (39%)</i>
Parish or District Councillor	4 (100%)	0	2 (100%)	0
Community Group or Residents Assn	3 (100%)	0	1 (100%)	0
Thirsk Overall	18 (20%)	71 (80%)	41 (34%)	79 (66%)
<i>Thirsk Residents</i>	<i>10 (32%)</i>	<i>21 (68%)</i>	<i>24 (48%)</i>	<i>26 (52%)</i>
<i>Thirsk Lorry Drivers</i>	<i>0</i>	<i>46 (100%)</i>	<i>0</i>	<i>48 (100%)</i>
<i>Thirsk Businesses</i>	<i>8 (67%)</i>	<i>4 (33%)</i>	<i>17 (77%)</i>	<i>5 (23%)</i>
Leeming Bar Overall	121 (67%)	61 (33%)	32 (39%)	50 (61%)
<i>Leeming Bar Residents</i>	<i>87 (85%)</i>	<i>15 (15%)</i>	<i>26 (70%)</i>	<i>11 (30%)</i>
<i>Leeming Bar Lorry Drivers</i>	<i>0</i>	<i>40 (100%)</i>	<i>0</i>	<i>37 (100%)</i>
<i>Leeming Bar Businesses</i>	<i>34 (85%)</i>	<i>6 (15%)</i>	<i>6 (75%)</i>	<i>2 (25%)</i>

Summary of responses per question below:

Q1	Are you responding as a ...
53 (15.6%)	a) local resident in the vicinity of Thirsk Industrial Estate
104 (30.7%)	b) local resident in the vicinity of Leeming Bar Industrial Estate
22 (6.5%)	c) business of Thirsk Industrial Estate
40 (11.8%)	d) business of Leeming Bar Industrial Estate
3 (0.9%)	e) local community group or residents association
4 (1.2%)	f) Parish or District Councillor in an official capacity
51 (15.0%)	g) lorry driver who uses Thirsk Industrial Estate
42 (12.4%)	h) lorry driver who uses Leeming Bar Industrial Estate
20 (5.9%)	No reply
Other:	36 responses received

- 1) a business of Thirsk Town Centre and someone who was brought up in Thirsk.
- 2) A driver who sometimes uses both
- 3) A lorry driver that pays to park at Coneygarth Services.
- 4) A seasonal resident in Leeming Bar.
- 5) Also on behalf of Leeming Bar Community Hub
- 6) Bedale resident.
- 7) Concerned member of public.

- 8) Dangerous to overtake 3 maybe 4 lorries parked down one side of the road
- 9) Driver
- 10) Drivers with bad attitudes when ask to move away from the entrance of the business
- 11) Employee at one of the businesses
- 12) employee of a business on Leeming bar Industrial estate
- 13) Employee of Caw ingredients on Coneygarth Way
- 14) European truck driver
- 15) Foot paths are blocked and have to walk on the busy road
- 16) I use both Industrial estates.
- 17) local resident
- 18) Local resident
- 19) Local resident Thirsk
- 20) Lorry driver
- 21) Lorry driver from local village
- 22) My young child attends a nursery on Thirsk Industrial Park and we make use of other facilities on the estate.
- 23) Never a pick of bother
- 24) Parent of a child at the nursery on thirsk industrial estate
- 25) People urinating against the fence and property. Grass cutting is unhygienic where this has happened
- 26) Person with Campervan who travels up to Northumberland and Scotland regularly
- 27) Person working on the Leeming Bar Industrial Estate
- 28) police officer
- 29) Resident of Kirkby Fleetham
- 30) Resident of Kirkby Fleetham
- 31) Rubbish laid all over the sides of the roads and smells of pee
- 32) Staff of a business on the Leeming estate
- 33) User of Nursery on estate
- 34) User of services on industrial estate
- 35) Work on the Leeming Est lorries restrict vision parked obstruction they should be using lorry park at Exelby not pocketing night out allowance

Q2	If you answered a) to f) to question one, has the behaviour of those using the estates to stay overnight caused you, or those you represent, concern. Has the behaviour had a detrimental effect on the quality of life in the identified areas?	
	152 (67.3%)	Yes
	65 (28.8%)	No
	9 (4.0%)	No reply
Please add any other comments:		

Local resident in the vicinity of Thirsk Industrial Estate:

- 1) Driving visibility is poor and creates dangerous conditions at junctions. I have however not seen littering, bad language, inappropriate exposure or other poor manners from any of the drivers.
- 2) Found bottles of urine and litter, they make visibility when driving the are difficult, and I don't want grown men spending time in a position to watch them at school
- 3) Heavy HGV's transiting in/out of the area for no other reason than to stop overnight. Not collecting or delivering to any of the businesses.
- 4) I feel that parking and camping overnight in these areas causes problems with traffic flow, also the rubbish left behind by some is making the place untidy, when human waste is left behind it's very unhygienic.

- 5) I have witnessed a driver urinating out of his car door having parked overnight opposite the children's nursery on Thirsk industrial estate and have noticed the general increase of rubbish over the last 2 years - I walk my dog around the estate most mornings and have seen an large increase in trucks parked here in dangerous places making passing with cars hazardous. At times as many as 15 vehicles are parked on the estate overnight.
- 6) Leave them alone they spend in our local areas and it will hit the town hard
- 7) Litter and congestion
- 8) Litter and engine running noises. Also some of the truck drivers wander into town to use the Pubs for food/drink [Thirsk].
- 9) Noise and the constant presence of human waste in discarded bottles
- 10) Often park in dangerous spots (and illegal? e.g. opposite junctions), meaning driving can be dangerous. Lorries parking in inconsiderate and dangerous places also make it too hard to see kids near the nursery when I pick my daughter up.
- 11) Piles of rubbish, some containing excrement, left in places frequented by pedestrians including children using the play schools and other facilities.
- 12) Plastic urine filled bottles left by the side of the road and restricted access to the estate due to obstructions of LGV
- 13) Running engines for extended periods during antisocial hours resulting in: High levels of noise and Toxic fumes from diesel fuelled engines exhausted in quantity during startup. Waste products human and non human. Bottles of urine thrown over onto land directly adjacent to our property and occasionally directly onto our land. Faeces sometimes in bags other times uncovered on the above land and on adjacent grass covered areas - note a visiting council official stood in some of this faeces during a site visit. Food waste and liquid containers including alcohol deposited almost everywhere disregarding waste containers which have been supplied by HDC and are regularly emptied. Noise pollution - occasionally loud music played from lorry cabs which can be heard all over our property. Traffic hazard - long vehicles eg car transporters park nose to tail for significant distances blocking one side of the road completely such that traffic must overtake them with no possibility of a safe pull in if traffic approaches from the other direction. We have seen this happen numerous times. There will be an accident.
- 14) Some lorry noise either very early in the morning or quite late at night. Main issue though is waste left, fast food waste....but more particularly plastic bottles filled with urine which is then thrown in hedges near to my home
- 15) The truck park across the junctions which is dangerous and has almost caused many accidents
- 16) Trying to navigate a car around the parked vehicles in the Thirsk Industrial Estate is unsafe and a bit hair raising. There are still road users driving around the estate after hours.
- 17) We drive on the Thirsk industrial park daily and the number of lorry's parking over night make it dangerous when turning into junctions/pulling out due to restricted visibility and room on the road. Also concerned re safety of the children walking to and from nursery/soft play centre as litter being dropped and poor visibility when crossing roads/ large vehicles manoeuvring close to the entrance and exits and footpaths.
- 18) Woken most week day nights between 1am and 5am from lorries constantly running engines and leaving the estate. Some nights refrigerated units running for long periods. There are high levels of diesel exhaust pollution during anti social hours There can be as many as 60 lorries on the Estate at night. The constant waking has had an effect on my health. I have suffered both Bell's palsy and shingles which are both stress related issues. Quantities of human waste deposited on land adjoining our property. As this waste is all round the area it feels like a health hazard to visit any of the units on the estate. Also endless fast food packages and cans both alcoholic and non alcoholic thrown onto the land. At times you feel as if you are living in a third world regarding the human waste. The lorries appear to be arriving earlier and earlier each day to acquire a good parking spot. This is becoming a real hazard when parents are picking up children from the nursery. I have witnessed a few near misses and feel it is an accident waiting to happen. I cannot understand why local lorries are parking on the estate as I understand part of a HGL you must have a designated overnight depot. There are often lorries from both Northallerton, Bedale and Leeming Bar on the Estate. We see very few foreign number plates. I am amazed at the car transporters parked on a regular basis with brand new cars and no visible security. I have sympathy with the lorry drivers who should have access to sanitary arrangements. I have discussed all of the above with our MP Kevin Hollingrake and with various councillors.

Local resident in the vicinity of Leeming Bar Industrial Estate

- 1) A few drivers respect the area they are parked in a minority though are leaving litter, food waste and plastic bottles of urine which is a health hazard.
- 2) Amount of litter of various descriptions make the area unsightly and a health hazard. The parking of vehicles is also amazing the sides of the roads in the area.
- 3) As a resident on low street we have to sleep with windows closed as truck movements and refrigeration units on leases road and Coneygarth ind est disturb our sleep .Public footpaths are regularly obstructed by trucks parking overnight ,litter and light pollution are a constant issue .
- 4) At present having to keep advising drivers of signs stating no overnight parking unfortunately opposite my property which are clearly visible but blatantly ignored The appalling disposal of waste which is clearly noticeable on overgrown land adjacent to my property owned by HD Council
- 5) Cannot see to get up and down and out of low street when going/coming home plus rubbish
- 6) Dangerous parking of lorries in and around junctions poses threat of accidents
- 7) Dangerous parking, rubbish, human waste at roadside
- 8) Extend the area to include Low Street, Leeming Bar up to the A684 due to recent visit by travellers seen driving white transit van towing caravan towards the bypass apparently looking for somewhere to park up. HDC should be proactive in setting the boundaries for the PSPA rather than waiting to react and having to go through another expensive consultation and legal process.
- 9) greater increase in rubbish/litter (even though bins are provided) and human waste being left along verges within bottles or loose. Why allow 2 lorry parks in the leeming bar area then fail to use them. Action should be taken against these individuals not using appropriate areas for overnight parking.
- 10) Human waste left on streets, pavements and grass verges. When HGV vehicles are parked, road safety can be compromised due to lack of clear visibility.
- 11) It causes a road hazard when turning into the junction from the roundabout, also on the sharp bend at the bottom of the hill. Cars have to pull out into the middle of the road to get round the lorries. This is not ideal on a bend and a junction.
- 12) It hasn't affected our quality of life as such but to see the area with so much litter and bottles of urine is disgusting.
- 13) Litter and bottles of urine are the main things. Also human waste in black bags left beside the wagons. Lots of plastic is thrown in hedges.
- 14) Litter is quite a serious problem
- 15) Littering. Speeding. Risk
- 16) Lorries are a daunting presence at night and the litter (not to mention the nature of it) is unacceptable.
- 17) Lorry parking has made it difficult for residents to access their property, litter including urine and faeces has been left at roadsides and on the industrial estates. This level of anti-social behaviour is unacceptable.
- 18) Lots of litter in the area including bottles of urine and human faeces. Lorries arriving and departing at all times of night, with associated noise.
- 19) Many of us use the local paths to walk off the main road, it is disgusting to find so much human waste left behind by overnight HGV drivers.
- 20) My main grievance is the pop bottles full of urine tossed out of the lorries when they leave the area, and can be found along the roads leading to and from leeming industrial estate and coney garth truck stop.
- 21) obstruction of local roads and rubbish left around
- 22) Parked lorries become a hazard when negotiating the new Low Street in the area of the Coneygarth Services. There is an increase in garbage along this stretch of road which appears to be connected to lorries parking overnight. Verges are damaged as a consequence of lorries pulling over to park or turn.
- 23) refrigerated lorries running through out the night, engines starting up early mornings lorries blowing air horns early mornings, human waste on the foot paths, litter thrown away, lorries parking up on the main road in a national speed limited area making it dangerous for other road users and the general public
- 24) Road safety and unable to drive pass safely as well as bottles of urine and excrement on roadsides
- 25) Shunting and backing into small roads to turn round (dangerous). On 1 occasion I counted 22 lorries parked along the roads creating a large hazard. Damage to the verges and edges of the roads where they park and turn.

- 26) Specific issue I see is the parking on the road at the end of low street near to the shell petrol station. It's difficult to see past the parked lorries on an evening, since the small no parking wooden signs have been in place by someone, they've still been ignored and now stick out further into the road. I'm less concerned about the individual drivers, they seem to be no bother but it's just where they park that causes more challenging driving coming up to a junction at the bottom of Low street
- 27) Speeding on Leases Road and waste including bottles full of urine being thrown
- 28) The area around the industrial estates is largely residential and agricultural and the estates themselves are mainly food producing. Not only is the leaving of solid human waste on the paths, sometimes not even in a bag and urine in bottles, disgusting when the public come across it, it is unhygienic. Parking on pavements is also a problem as is the constant running of refrigeration units during the night. The area is already quite noisy without the noise being added to. General disposal of litter in the surrounding area is also a problem.
- 29) The behaviour of the drivers with their vehicles have definitely caused our quality of life to be affected for various reasons. The constant droning of the refrigerated units being left on overnight (often multiple vehicles) is loud enough to stop you sleeping on many occasions. Also the disgusting behaviour of some drivers leaving human excrement & bottles of urine in hedges, gardens & on footpaths is shocking. The local people then have to pick all this filth up. The inconsiderate parking of many drivers is a danger to lives as they are obstructing the roads.
- 30) The constant coming & going of lorries, especially early in the mornings, & the running of refrigeration units throughout the night is extremely disturbing to sleep. This is a particular problem in warm weather as you cannot leave windows open even a small amount as it is so noisy. The discarding of litter & human waste is appalling, especially as residents have no choice but to pick it up & dispose of it themselves. Sometimes it is even discarded in resident's gardens. Overnight parking on roads outside of the trading estate is dangerous as vehicles attempting to pass parked lorries or turn right out of the lorry park are doing so into oncoming traffic.
- 31) The Hgvs park outside the service station at leeming causing a safety hazard
- 32) The only concern would be drivers leaving rubbish in the hedges but I haven't personally seen any
- 33) The parked lorries represent a safety hazard as they park on non designated areas making it awkward to see beyond them.
- 34) The residents should not have their quality of life spoiled by unacceptable third world behaviour.
- 35) There have also been instances of HGVs and other vehicles parking overnight at the cull de sac end of Low Street, sometimes with cars obviously being used as overnight accommodation for several days.
- 36) Trucks parking on the verge outside Coneygarth services have caused it to compress well below the level of the road. This has resulted in some vehicle damaging their axle and a large leak of hydraulic fluid gas spilled over the grass with potential to contaminate the land
- 37) Walking my dog I regularly see excrement and urine deposited on pathways. Food packaging is often left. I have also been verbally abused asking for this to be picked up when thrown out a window of a lorry.
- 38) We are seasonal residents at Pembroke Caravan Park at Leeming Bar. We have been here for 20 years. Yes, the lorry drivers who decide to park opposite the site do cause issues. Refrigerated lorries with noise running through the night etc. On a personal note, the real issue is taking my dog for a walk in the morning, carrying 'poo bags' to pick up his excrement and seeing human excrement thrown into the hedges and on the grass verges. Bottles of urine tossed aside. If I didn't pick up after my dog I could be fined. This is far worse. I don't come away from the City to be faced with this.
- 39) We have had human excrement left within our property boundaries on numerous occasions along with general rubbish. Noise pollution is also a nightly problem from re Fridgeration units running all night. Damage to our hedges where lorries have regularly reversed into them when turning round.
- 40) When driving on the new link road from Low Street to Leases road in the dark I have found the parked lorries made the journey very confusing and dangerous
- 41) Where the lorries are parking is unsafe to other road users and people out walking/running, with having to go around the lorries. I think behaviour isn't the right word, as it's not that they are being nasty or rude, it is just the parking that i see as an issue
- 42) Yes. I have had to partake in village litter picks and ended up having to collect human waste on a food production estate. I have also suffered from the noise from the refrigerated vehicles and have witnessed prostitution on the estate with a woman arriving and entering several HGV's. This was whilst out walking my dog at dusk with my niece.

Business on Thirsk Industrial Estate

- 1) compared to the daily mess and inconvenience from other companies the intrusion from overnight trucks is minimal
- 2) Finding faeces round the back of my unit on numerous of occasions. And litter all over the place and bottles of yellow liquid ie pi.... but on one hand it does help security now there are no police.
- 3) Haphazard parking. Turning & parking on private property. Leaving litter and waste (sometimes human) not in bins.
- 4) HGV parking causes an obstruction when trying to leave my parking spot in my car at Allendale Road (sometimes requiring 15 point turns to be able to get out). The obstacles created by all the HGV parking causes safety and traffic issues during the rush hour period.
- 5) Issues we have had - Damage to the building from Lorry - Rubbish left all over the floor - Side of the building being used as a toilet, having to pick up someone else's poo - Lamp posts damaged - External bins being used for waste - Car parks being blocked on a morning as drivers are still asleep. Lorry's being parked on entrance roads reducing industrial estate roads down to one way. Oil left on the floor. Intimidating when leaving property at night.
- 6) Littering and parking close to the junction
- 7) Littering, urine discarded in plastic bottles & problems accessing property.
- 8) Lorries park along side our building every night. This area has rubbish left along our fence constantly .
- 9) Lorries park up with drivers having destroyed outside lighting, using bins (sometimes) and round the building as a lavatory - not a good look for customers
- 10) Lorries parked over staff and customer cars in parking bays resulting in taxis required to get home / to work. Drivers argumentative and refusing to move. Police attended on one occasion. Photos held on file if required.
- 11) my companys yard & garden/borders are constantly full of rubbish from lorry drivers parking overnite
- 12) Responsible parking by drivers who need to stop off isn't a problem for me. Maybe, their presence deters other offences being committed on the industrial park. As long as litter is binned I have no problems. Drivers, by law have to conform with limitations on hours driving. Sleeping in their cab overnight is a necessity to safeguard their vehicle.
- 13) Rubbish, being left
- 14) Smell of urine is overwhelming and unpleasant, obstruction of roadways
- 15) The wheelie bins that I pay for through my business are continually used by the lorry drivers. This has resulted in me having to have them emptied more frequently and this costs more money.
- 16) They back on our premises and LEAVE RUBBISH & HUMAN WASTE
- 17) We have witnessed lorry drivers urinating around their trucks in the cul-de-sac near Jack and Jills, particularly wrong given the vicinity of the nursery school.

Business on Leeming Bar Industrial Estate

- 1) As a Business at Leeming Bar Industrial Estate we are only affected during the day. Plews Way and the surrounding Roads are being used, predominantly the Ice Cream factory, as a lorry park causing restricted access to the roads. We have reported this to Highways in January with no response. There is without doubt going to be an accident on YIBBS corner where your having to go around parked wagons turning it into a blind bend. Many of the vehicles spend the night parked up. We have asked drivers to move before so we can gain access to our drive and been met with abuse. The Ice Cream Factory have done nothing to sort the problem out in fact it has got worse in the last few months. They have a total disregard to other road users and surrounding Businesses. To be a Resident must be a nightmare.
- 2) As the owner of a local Caravan Park our guests are constantly being disturbed by trucks parking on Coneygarth ind estate , refrigeration units running all night are a major problem as is vehicles leaving early hours of morning .We have to pick litter up on a daily basis outside caravan park which include beer cans and bottles of urine .We have even had to ring police on a number of occasions to move trucks who park on leases road obstructing entrance to park , as our business relies on repeat custom and people enjoying their stay sleepless nights have a serious detrimental effect on the long term viability of the caravan park.
- 3) Bottles of urine thrown at the side of the road and roads blocked restricting movement.
- 4) Failure to move their trucks has had business implications for our customers due to deliveries being late as access has been blocked.
- 5) Feel un-easy about approaching drivers

- 6) Foot paths are being blocked by lorries, drivers are urinating against fences and buildings, human waste is being left behind, littering and drivers do not move dangerously parked vehicles.
- 7) I feel that the greater concern would be the pot holes on the Leeming bar industrial estate, I would suggest that whilst the odd driver may bring an issue to the Industrial estate, banning parking up for overnight stay can be detrimental to a business on the industrial estate, stopping production, not just on the industrial estate, but on another business out of the area, Long term knock effects to the business
- 8) I have commercial property on the business park and the industrial estate and have had damage done to both by lorries turning trying to find a park for the night. Also rubbish thrown over our security fence as well as rubbish and human excrement deposited outside gates and fencing. The business park has between 15 and 30 articulated lorries parked on the estate every night.
- 9) I own a nursery on Leeming Bar industrial estate and regularly have to ask men sleeping in lorries to move out of our car park when I arrive at the nursery at 7.15 in the morning. Myself and staff have been verbally abused by the drivers and are made to feel uneasy and unsafe inside the premises when we are on our own. Most days we have to clear the car park to bags of rubbish left. Also last week a lorry was parked half blocking the entrance to our car park which made it unsafe for staff and parents when entering or leaving the premises.
- 10) I work for a day nursery and the staff who open up at 7:15 have been verbally abused by some of the lorry drivers when asked to vacate our car park, this has caused them great stress. The girls feel unsafe and uneasy to come to work when they are on their own at that time in the morning. We have to clean up rubbish most days when we enter the premises. Lorry's are parking half way over our entrance making it difficult to access for both staff and parents as well as dangerous when leaving as you cannot see past their lorry if there is anything coming. In the past we have had lorry drivers park inside of our car park, causing obstruction and little parking for people using the building at a very busy period of time and failed to move until later in the day.
- 11) It is dangerous driving onto the estate to work as there are wagons parked everywhere, even worse in the winter with dark nights
- 12) It works well slowing down drivers coming out of other businesses. Works better than speed bumps. I personally have not seen any rubbish dumped or excessive noise. I find it very disrespectful when car drivers pass them in the night and sound their horns. A TIRED DRIVER IS A DANGEROUS DRIVER.
- 13) Main concern is a very restricted view when exiting premises due to wagons parked on both sides of the entrance/exit. I arrived one morning to find the entrance completely blocked with a parked wagon. Also, many instances of discarded rubbish
- 14) Makes the village look in tidy
- 15) Parked over the entrance to the business making me late to start work
- 16) Possibility to cause a bad accident
- 17) smells really bad
- 18) The parking of wagons near entrances and on the footpaths causes a danger for both foot and vehicular traffic around the estate. Human waste is left on the estate, drivers are urinating on the buildings, littering is considerable. Drivers are often rude and aggressive when you ask them to move or park more appropriately. Access to our buildings can be restricted.
- 19) There are few drivers which park overnight and trailers are regularly moved to by a shunter driver onto docks, loaded and taken off the estate immediately. Trailers are plugged in by the shunter driver to reduce noise and are generally parked as far away from residents as possible but as a local business that employs a huge number of staff and contributes to the local economy deliveries are part and parcel of our thriving Yorkshire business process. Noise surveys have been undertaken and we have only received one complaint since approx 2015 for noise coming from the estates general direction. The condition of the industrial estate roads has and is the main problem faced by the hundreds of staff each business employs at the Leeming estate as staff regularly have to swerve the huge potholes narrowly avoiding collisions with other road users daily and also have to foot the repair costs for the damage the potholes create to their vehicles.
- 20) There have been bottles of urine left on the road side, and our footpath and verge often smell of urine.
- 21) Trucks parking along Leases Road are a significant safety hazard to traffic using both Leases Road and traffic exiting and entering Coneygarth Services. I have witnessed many near misses of vehicles nearly colliding as trucks are taking up a carriageway causing on coming traffic issues.
- 22) Vehicles parking overnight have damaged new security fencing around our premises, causing £1000's of damage. Rubbish & human waste is left in road. Vehicles park in dangerous areas blocking vision when leaving our premises. Parking on junctions, double yellow lines with no consideration for other road users.

- 23) We have had vehicles parked up overnight that have blocked off the entrance to our site carpark. It is also very difficult turning in and out of Plews Way due to vision being blocked by trailers parked along the road edges, this is at ALL times of the day and not just overnight - this is an accident waiting to happen.
- 24) Yes the parking of vehicles in these areas has had a detrimental effect to the area. We have had fencing damaged which we believe was caused by articulated vehicles reversing. There are all varieties of rubbish left around the area, and one would question what they do for toilet facilities. There are also the constant obstructions caused by these vehicles restricting business owners access to their work places.
- 25) Yes, they leave rubbish behind, cigarette ends, but we think it's also a serious Health and Safety issue for the companies based on the Business Park as these lorries are parked everywhere on the walkways, blocking visibility at the entrance and exit of the car park. On one occasion a wagon was parked right in the car park entrance literally blocking half of the entrance. On more than one occasions, we've seen near misses on the road involving cars, just because there were lorries parked all over the place. We think it's an accident waiting to happen.

Community group or residents association:

- 1) I participated in a litter pick and came across several abandoned bottles containing urine within the area also used wet wipes and bags containing bodily functions. Very disrespectful in a community area.
- 2) Yes. I live just off the road to the Leeming Bar Industrial Estate and my group runs litter picks. I see the litter left behind whilst I am walking my dogs and have to pick up bottles of urine, boxes with faeces, drink cans and other litter left behind by these drivers. In Leeming Bar there are people who care for the village so why should we put up with it.

Parish or District Councillor:

- 1) The parking of vehicles has created an area where anti-social behaviour and noise has made the residents life a misery. Mainly rubbish being thrown from and left from vehicles, human excrement and urine in bottles, noise from refrideration units and vehicle movements in the early hours and late at night.
- 2) The residents of Leeming Bar and surrounding the Ind Estate have been putting up with unacceptable behaviour from some of the lorry drivers parking overnight for long enough!

Lorry Driver who uses Thirsk Industrial Estate:

None

Lorry Driver who uses Leeming Bar Industrial Estate:

None

Q3	If you answered g) or h) to question one please could you identify the main reason why you have parked up and camped overnight?	
	28 (20.4%)	Free to park
	74 (54.0%)	Lack of parking and overnight facilities in the area
	16 (11.7%)	Unplanned stop due to road works or traffic incident
	18 (13.1%)	Other (detail below):
	1 (0.7%)	No reply

Lorry driver who uses Thirsk Industrial Estate:

- 1) All of above. Car transporter truck too long to fit in busy services late at night. Due to length often gets damaged by other trucks hitting loaded vehicles or not enough space to turn. Company pays parking and holds accounts with services. Lack of appropriate spaces for vehicle

- 2) I have ticked all boxes because its for all reasons plus thirsk industrial est is a safe place for me to park up overnight due to police station on site and the risk of my fuel and load being nicked is slim
- 3) I live in thirsk and my truck is parked there over night. As the above states tho am I still able to park my truck as I'm not in it over night?
- 4) It's safe parking.... local to takeaways and pub food
- 5) My company like others will not pay for us to park in secure areas.
- 6) Ran out of driving hours
- 7) Ran out of wtd
- 8) Service stations all full after 5pm and charge 30pounds a night which rhe boss will not pay.
- 9) We need to obey working hours and driving hours law. this proposal puts pressure on drivers to break either of these laws just to find somewhere to park and sleep. (we do not camp we sleep in our cabs)

Lorry driver who uses Leeming Bar Industrial Estate:

- 1) All of the above
- 2) Delays and delivery address lead to running out of time
- 3) Delivering or collecting from there
- 4) Delivering to a business on the estate, delayed and due to tachograph law was unable to go any further
- 5) HGV drivers have to work within the law as enforced by government, WE have to take breaks from driving after set periods of time, It is an offence to drive outwith these limits. The HGV parking facility at Coneythorpe is often overcrowded with no spaces for parking available. Intsead of proposing to penalise drivers for taking legal beaks, what is needed are facilities for drivers, Public conveniences, sufficient rubbish bins and showers. Since the businesses pay a massive amount in business rates and contribute huge amounts to the local economy, will the council reinvest in the area and provide suitable amenities?
- 6) I usually intend to park at ConeyGarth truckstop but the odd occasion its full on arrival. Due to driving regulations it turns into a case of find somewhere in short time to park up. It seems industrial estates designed for the soul purpose of commercial vehicles isn't satisfactory any more... Not easy when parking somewhere safe, that isn't in a weight limit, that isn't outside someone's residential property that has the room to fit a 50 foot vehicle. Its disgraceful to force commercial vehicles from a commercial industrial estate. Quite happy to turf us out but won't put facilities on. There is becoming less and less help for men and women working away all week. Everyone wants there goods delivering yesterday but aren't willing to accept the fact men and women have less and less opportunity to park somewhere safe, secure, or near where they are delivering. If we all had a guarantee of safe parking, in a reasonable area, with amenities nearby. Just yesterday a driver was found dead in a layby on the A6... Only his truck in the layby... I'd like to think if I was seriously I'll during the night I could be close to the somewhere I could go for help or someone would know I was there.
- 7) My company refuses to pay parking
- 8) Run out of hours and no spaces in services
- 9) Sometimes it's safer, shops about that don't cost the earth. Getting parked after 6pm is hard. Cost to park is high.

Q4	Do you agree with the proposed PSPO for the areas identified on the maps?		
		Yes	No
	Leeming Bar	158 (53.4%)	138 (46.6%)
	Thirsk	83 (37.9%)	136 (62.1%)

Local resident in the vicinity of Thirsk Industrial Estate

- 1) 99% of businesses are closed after 5 pm. HGV's don't cause any problem at all. Scania have a depot on the estate as well so HGV's will be parked there anyway if getting jobs done.
- 2) A blanket ban because of a few drivers is not the answer; it merely moves the problem elsewhere. the drivers who park there need a place to stay overnight

- 3) Again they park across the junctions which is dangerous. They also park all around the nursery which I disagree with
- 4) As above
- 5) Causes no harm
- 6) Disgusted by the plastic bottles of urine littering the estate.
- 7) Does not need doing, where are they supposed to park
- 8) Drivers need somewhere to park to take lawful breaks. Without trucks and their drivers our shops would be empty. Give them a break.
- 9) Feel that the number of lorries staying overnight in/around the Thirsk Industrial Estate has increased since I moved into my current home in 2013 which in turn has led to an increase in noise early morning/late evening. What I absolutely object to though is the waste which is left, not just half eaten food waste and packaging but in particular plastic bottles full of urine which are thrown into the hedges near to my home.
- 10) HGV drivers do not cause any disruption for me personally. I don't believe that a small minority are able to prevent all HGV drivers from staying overnight on Thirsk Industrial Estate. Where else are they supposed to go? These drivers provide food and other items which we require daily. They should not be punished for trying to do their job.
- 11) I believe that a P.S.P.O. would protect the area and put a stop to people parking and camping in these places.
- 12) I don't want these people and vehicles parked next to my child's school
- 13) I live near and also work on the industrial estate and I have no issues with people staying overnight in HGVs. I have experienced no noise or mess left from them. They bring much valued trade to our town shopping in local shops and eating in local cafe and bars. Adding to the point that there are no residential housing on the industrial estate. Having people around on an evening is also off putting to anyone that might wish to brake in or vandalise any of the business.
- 14) I'd like to see the safety of the area improved especially with the children's nursery and play area (Twiggy's) there, and the lorry drivers / campers are not going to do this of their own accord so I welcome the plans.
- 15) It will improve my health as I will not be disturbed at night and will be living in a pleasant and healthier environment.
- 16) It's clearly a problem for both sides - Residents are unhappy about the pollution caused by the truckers and their vehicles and the truckers need a place to safely stay overnight with proper facilities for them, at a reasonable price. Hopefully by forcing the issue, a solution to keep both sides satisfied can be found.
- 17) Litter bins and maybe a shower / toilet facility will sort the issues out. Preventing lorries from parking here will push the issues on elsewhere. Also these wagons provide a service in delivering goods and fuel - this might affect the services we get in this area, after all drivers are only permitted to drive a certain number of hours a day.
- 18) Never had any problems. Truck driver provide extra security in the area
- 19) No other feasible facilities for the drivers. They're not harming or disturbing anybody up there.
- 20) Not causing any problem
- 21) Potential to endanger my child's life through obstruction of clear lines of sight as she attends Jack and Jill's nursery
- 22) The area needs to be all or nothing with significant signage indicating suitable alternative overnight parking.
- 23) The emotional impact of this parking on our everyday life is difficult to describe. The parking is not only increasing in volume but also in timescale. We met with Highways to try to describe this impact and the response was, in writing, it is better here than elsewhere, it is a national problem and there is little we can do about it. This is the kind of environment you may expect to see in a 3rd world country. We are still the 6th largest economy and this area is within walking distance of tourist attractions which bring in large numbers of tourists who would be shocked to witness these conditions if publicised. This is why we escalated this unmanaged situation to our MP Kevin Hollinrake. We produced a document for him with a proposed action plan which he supported.
- 24) There are no residents on the industrial estates at night, they bring revenue into the town and it stops them parking in residential areas.
- 25) There has been terrible littering in the Thirsk Industrial estate when lorries have stayed overnight and they blocked the roads and made it dangerous when taking my children to Jack and Jill's Nursery

- 26) There is a need to eradicate the disruption and detrimental impact caused by current lorry parking, on local residents in the immediate vicinity and for those locally who use the industrial estates shops and offices. Careful consideration needs to be given however to alternative options to avoid simply transferring the problem elsewhere. Would Dalton trading estate provide a suitable alternative location away from residential areas?
- 27) There is no other provision for HGV in the town, the proposed order will displace the HGV's in other places in town which may be less suitable. Make a proper provision some where and then put the order on.
- 28) There isn't that much of a problem, but before you ban hgv parking build a truck stop for them to park up in.
- 29) These areas are becoming more heavily used especially Thirsk. Parking of HGV's will have a safety and otherwise detrimental effect on the locality. Especially if there is no valid reason for them transiting in the area.
- 30) These industrial estates are very busy places every day and with a lot of continuous vehicle movement associated with those businesses. There is no room for the industrial estate to be used as a HGV overnight parking space and maintain safety as well as public health considerations.
- 31) Thirsk industrial estate is precisely that and not a commercial vehicle overnight park. The road and other space is very limited and vehicles parking overnight cause obstruction for that period. There is no waste disposal available [human as well as general] and some leave the vehicles to use the facilities in the town.
- 32) This is the main area of concern
- 33) This will reduce the amount of rubbish around the area and also less dangerous to my above points
- 34) Unable to comment on Leeming bar as do not go to this area regularly.
- 35) Unless alternative parking is provided, cannot see where the drivers are going to park overnight. If the council is prepared to provide a designated alternative then by all means carry on with your proposed PSPO, but if not I cannot see the logic in banning the lorries. Where are they going to park safely?

Local resident in the vicinity of Leeming Bar Industrial Estate

- 1) Amount and dangerous parking of lorries
- 2) Areas on the public highway should be included especially due to likely contribution to road traffic collisions as a result of poor visibility. Areas identified will allow all road users and pedestrians opportunities to use the highways
- 3) As described in the consultation flier, the areas around Leeming Bar used for parking HGVs causes offensive waste, prevents the free transit of pedestrians and cyclists and many park in such a way to cause severe disruption of the normal traffic flow; on one occasion there were approximately 20 HGVs taking up one side of the road.
- 4) Bottles of urine and the litter the wagons cause ,parking on the grass verges ,busted drain covers ,parking outside coneygarth services making the road impassible at times ,in my view coney hart services has caused all the problems of the wagons parking all over the place, I've lived here for 18 years and there was never a problem before the services were built,
- 5) Can't comment on thirsk but looks sensible. Leeming exclusion zones cover areas I have witnessed most traffic an with enough distance to minimise extending the problem just further out
- 6) Drivers need somewhere to stop at the services are always full
- 7) For all of the reasons outlined above. There appears to be a complete disregard for the area and its people. One wonders if the culprits would think differently if it were on their doorstep!
- 8) For reasons of road safety. Also, for residents living very close it is an intimidating situation. If left unchallenged it may increase further.
- 9) I am sure it is just as bad for residents of Thirsk as it is for Leeming Bar.
- 10) I do not feel the roads and area warrant this type of vehicle using the area outsid of normal business hours and that to allow it is a form of abuse
- 11) I do understand that we need to move goods etc. by road but the number of vehicles and the behaviour of, a small amount, of the drivers is detrimental to the area.
- 12) I don't think the lorry drivers are causing any harm. They do not leave any mess and are respectful to the community. I believe they should be allowed to park beside the shop, they can't help it if the lorry park is full and they have to stop for a break.

- 13) I have seen many examples of vans and lorries pulled over and damaging verges and causing congestion in Leeming area.
- 14) I think it a start Leeming Bar is affected on a wider scale. I aren't opposed to the lorry parking in the designated lorry parks but they park anywhere they please blocking pavements and in my opinion on junctions which is dangerous.
- 15) I think it is disgraceful that lorries are using this area to park overnight. Daytime parking is also an issue and should be looked at as it restricts the traffic flow to and from the industrial estate/tip areas.
- 16) I think the PSPO is a good idea as long as it is properly policed. These regulations are often put in place and policed at first, but then they are ignored and nothing is done. For example, the weight restriction on the level crossing on Leases Road is totally ignored. By policing I do not mean North Yorkshir Police as I am aware they have more serious crimes to deal with, but I do think HTC should have regular checks of the area. I think that the area of the PSPO should be extended to include Low Street. I believe that the lorry drivers will soon look for other free places to park overnight, and they will soon realise that Low Street is a dead end now that the bypass is open. There are still lots of lorries driving down Low Street and then either turning in the area near the bypass, or reversing the full length back to Leases Road.
- 17) If this goes ahead, hopefully life will be more peaceful & the local area cleaner with less litter & the local roads safer for traffic & pedestrians.
- 18) Includes the areas where lorries park near the Coneygarth service area
- 19) It will make it safer for others not having to manoeuvre around the lorries parked on the narrower roads
- 20) It would be a lot safer as I've met a another car coming the other way and we had to reverse a distance to be able to pass each other
- 21) Leeming Bar has become a extended lorry park, many of the residents are trying to improve life in the village. We don't need this anti social behaviour on our doorstep.
- 22) Long overdue
- 23) Lorries parking on bith sides of road, and making it dangerous to gain access to work as the park over exits, urinating on side of the road and also leaving rubbish everywhere
- 24) Lorries should not be permitted to cause a public nuisance. There is a lorry park here and space for more, given that planning permission is granted to Coneygarth. Submitting that application would be a good start. In addition, there is a parking area for lorries at Barton.
- 25) More and more lorries being parked on the triad side every jight
- 26) More parking needs to be provided such as the free lorry park in colburn . What needs addressing in these plans is the illegal parking of unattended trailers on the industrial estate which is a bigger risk to public safety that the overnight camping of drivers who legally have to park up but do not have adequate space and facilities to do so .
- 27) No idea on the Thirsk issue - so have ticked no but can understand what the issues may be. Leeming would suggest that some areas need changing in the PSPO. Directly in the industrial estate it's safer for the lorries to park in there so see no issue. but the residential and other roads into the residential roads need to be covered.
- 28) please see comments above. (greater increase in rubbish/litter (even though bins are provided) and human waste being left along verges within bottles or loose. Why allow 2 lorry parks in the leeming bar area then fail to use them. Action should be taken against these individuals not using appropriate areas for overnight parking.)
- 29) Protecting this area from lorry parking will oblige drivers to park overnight where there are better facilities or in areas designated for lorry parking.
- 30) Provide amenities for lorry drivers. They keep the country going
- 31) public health hazard and blight on the area
- 32) Rubbish and human waste is being left that is not only unsightly but a potential bio hazard to residents and visitors to the village.
- 33) seems rational and fair - particularly when the ConeyGarth service Station, and Leeming Service Stations both offer facilities for lorry drivers
- 34) Sick of rubbish and urine in bottles. Get our villages clean again
- 35) The area is getting very badley littered including human waste which is a health hazzard
- 36) The current and very regular practice of truckers parking leaving their waste, that is body waste is unacceptable.. Not saying as all do it, however, it's those as do as have led to this situation of unrest..
- 37) The fact that these drivers 'camp' overnight shows that there is a real need for proper accommodation and facilities for drivers and their lorries. I would be happy to agree to the ban if I knew that there were

- alternatives they would use at low/minimal cost. Otherwise, the ban will simply lead to their dispersion to surrounding areas not included in the ban.
- 38) The leeming bar industrial estate is used as a rest place despite a designated lorry pro only being 500 yards away
 - 39) the litter that is left is disgusting something should have been done before now
 - 40) The local roads are not designed as overnight stays for wagons. space is available at the garage.
 - 41) The lorry parking is completely unacceptable and should be stopped. This could include double yellow lines on the affected roads. The lorry parking is a problem not only on the road leading up to Coneygarth services but also on Low Street.
 - 42) The parking is anywhere they feel like it. Sometimes it is difficult to get to my place of work due to vehicles blocking entrances or making visibility nearly impossible therefore, very dangerous, footpaths are sometimes blocked, Human waste and drivers urinating against fences and buildings and the fact that drivers are using the estate as a public toilet is disgusting.
 - 43) The problem needs to be dealt with
 - 44) The prohibited area in leeming bar should include Low Street, as inevitably lorries will move to use this area, especially as it is now a dead end
 - 45) There are 2 lorry parks in Leeming Bar which are NOT full each night for the lorries to park in and use the facilities provided.
 - 46) There is a caveat to my positive answer that is explained in my earlier comment above.
 - 47) There is already a ban on the older part of the ind est and the new part is not near any houses and does not disturb any residents, the factories have more an environmental impact on the houses and not the lorries! I am local to Leeming Bar and park there but I do not stay in my cab! This will stop me parking my vehicle near my home!
 - 48) There is no need to park on the roads around Leeming Bar as there is a lorry park within the area that can be used.
 - 49) These chaps have a hard enough life as it is just trying to make a living to support their families. Just put some good behaviour guides up as signs and provide bins.
 - 50) They are paid to do a job that helps everybody yet everybody complains where they park even when there causing no harm at all. Most of the time they park up when buisnesses have closed then gone when they have reopened causing no problems to any businesses. Another thing people dont think about is the fact they may have a delivery on the industrial estate they are parked at which means they are close to there drop off and can stay in bed a little longer rather than waking up earlier to do there morning checks then drive down the round to drop off. Also truck stops charge silly money for poor facilities that sells crap food. I believe they should be aloud to park there but should have to take there rubbish away or provide a few bins. Without lorry the country would stop we need to support them as much as we can other wise litter will be the least of everyone's worrys
 - 51) They have a lorry park - use it. Also one at Scotch Corner, only 15 minutes away.
 - 52) They park up, majority take their rubbish with them. No complaints. Dont harm anyone. Why not just put up CCTV ANPR type cameras to fine those who litter
 - 53) This has been an increasing problem in recent years as the industrial estates have expanded & both estates are adjacent to residential areas. In Leeming Bar it has also increased due to the opening of the lorry park as many lorry drivers choose to park outside of it while still in walking distance of it. There should have been further consideration given to these potential issues before planning consent was given. If the siting of a further & currently proposed industrial estate in Leeming Bar is agreed by Hambleton Council then this situation is going to get much worse. If this PSPO goes ahead how do Hambleton Council propose to prevent lorry drivers parking in other parts of the village which will not have a PSPO, for example the south end of Low Street which heads north towards the road closure at the bypass? Lorries are often seen driving along here by mistake, unaware of the closure & then either turn around in the small turning area or if unable to then reversing all the way back to Leases Road.
 - 54) This is greatly needed
 - 55) To allow the safe passage of through traffic.
 - 56) to stop bad lorry parking and resulting amount of litter
 - 57) Unwanted noise, rubbish, anti social behaviour - please stay away
 - 58) We as residents should not have to put up with rubbish, bottles with dubious content and other bodily waste, where we walk with dogs and grandchildren. I clean up after my dog, and I try to teach my granddaughters to do the same, how can I explain that to them. Apart from the above, it's very hard to go

past two, sometimes three parked lorries, when you can't quite see if someone is coming towards you the other way. This happened a few times when coming back from Kirby Fleetham at night.

- 59) Where are lorries meant if they don't get paid to park in lorry parks also they are only doing their job like everyone else you need the stuff to get to the shops for people to buy but not letting them park they have driving laws they have to abide to
- 60) While drivers use excuse truck stop is full many just drive straight off A1 onto estate and are parking up from 4 in afternoon and still park there on weekend when truck stop is nearly empty.
- 61) Whilst I appreciate that both areas are close to industrial sites there needs to be fairness and balance for those residents who pay their HDC council tax and give back to the local economy
- 62) With the amount of money collected in Business Rates by Hambleton from the Industrial Estate and taking into consideration the amount of money pumped into the local economy by the Industrial Estate, also Hambleton's intention to increase the size of the Estate, surely Hambleton could put money back into the Estate by building a toilet block/shower facility/parking area to support the Companies that occupy the Estate.

Business of Thirsk Industrial Estate

- 1) Although I appreciate that the lorries need somewhere to park, and potentially some of them may be making deliveries to the estates. It's the problem of litter that is left. I can't see any other way of getting rid of this problem without stopping the overnight parking.
- 2) As above (Issues we have had - Damage to the building from Lorry - Rubbish left all over the floor - Side of the building being used as a toilet, having to pick up someone else's poo - Lamp posts damaged - External bins being used for waste - Car parks being blocked on a morning as drivers are still asleep. Lorry's being parked on entrance roads reducing industrial estate roads down to one way. Oil left on the floor. Intimidating when leaving property at night.)
- 3) Has anyone thought of the novel solution of actually providing a safe suitable place for drivers to park, with facilities?
- 4) Health & Safety should improve. Environment would be improved. Hopefully promote respect for this environment and for the property of others.
- 5) I have also witnessed lorry drivers urinating outside their vehicles early on a morning.
- 6) I have never had any issues with anyone using the estate overnight. I think it does more good than harm as they drivers keep an eye on our units while they are here.
- 7) If there were some form of parking charge that local businesses got some benefits out of i.e. reduction on the rates. And there where toilet facilities provided it could work. but the problem is not just the night time or the HGVs it's also all the cars that use the main road as a car park i.e. parking right around the corner of the access road in and out parking on or next to the junction making getting out of Jonson way and other roads some nights/days very dangerous. the whole estate needs monitoring night and day with double yellows right round to prevent illegal parking round the estate.
- 8) It is unhealthy having human waste on the verges and would stop it. Improve safety on the roads.
- 9) It would keep our car park clean and tidy
- 10) Less congestion caused by parked waggon will increase visibility and improve safety. No overnight parking should lead to a reduction in the time spent picking up litter some of which is potentially hazardous.
- 11) More refuse storage will help control this issue
- 12) Once the estate is full of lorries they park on our private car park even when we have a sign out asking them not to. In addition to this may we add that some lorries and/or just trailers get left for days at a time in the cul-de-sac near Jack and Jill's nursery making it difficult for parents to negotiate them and even witnessed children playing under them, there has been one here for three days 25/06-27/06 and is still there, also some are blocking the end of the cycle route from Sutton road.
- 13) See above (compared to the daily mess and inconvenience from Todds / Yorewaste the intrusion from overnight trucks is minimal) and also there is a certain degree of indirect security offered from the truck drivers in the fact that I am sure they would report any break in's or criminal activity through the night on the industrial parks
- 14) Seems a bit draconian seeing as I have not witnessed or heard of issues on the site other than vehicles looking for parking spots overnight. Driver will contribute in a small way to food vendors economy.
- 15) the rubbish issues are only a small problem, the bigger problem is the matter of the lorry drivers toilet habits
- 16) There is a perfectly good lorry park nearby and the Thirsk industrial estate is not the ideal place for roadside parking, nor is our company car park.

Business of Leeming Bar Industrial Estate

- 1) As I stated above it is dangerous and you very often see the drivers peeing against their vehicles, not exactly hygienic I am surprised there has not been an accident yet as you cannot get past long lines of parked wagons
- 2) Difficult to comment regarding Thirsk as I have not been directly affected but if it mirrors the situation at Leeming then it would be a good idea.
- 3) Drivers have to stop and park up somewhere, better to be on an industrial estate than a residential estate.
- 4) For health, safety and well being of staff and local residents.
- 5) For people who work on the industrial estate it is so hard to pass the lorries. Someone is going to get hurt they double park making it hard to get past .They need to be moved on
- 6) Good to see something is being done about overnight parking. We often worry about vehicles parked opposite our premises all day and night. We are having to clean up after some drivers after they leave waste on our site. Not all are guilty, but the parking does cause issues during the daytime, as they continue to park where they were the night before. Perhaps the next thing to address is the random daytime parking across road junctions and business entrances causing a certain road safety risk. This is also destroying the roads with fuel leaks etc. Thank you for the action proposals.
- 7) Local businesses will suffer if drivers are turned away from the estate and refrigeration trailers are no longer allowed on the estate during silent hours. The knock on effect could be a loss of business due to companies unable to supply customer demand thus a loss of jobs and potential business relocation out of Yorkshire.
- 8) Long term detrimental knock effects to the business on the industrial that relay on the heavy goods vehicles to deliver products to and from them
- 9) See comments from Q2 - I would also include the parking of trailers during the day on the road side as these block off vision at junctions.
- 10) Suggest that Low Street from the Garage to the Leeming Bar Bypass is included but obviously not the caravan site.
- 11) The footpaths being blocked has meant that driving my car in and out of the estate is becoming dangerous for me and other cars. Plus, the amount of waste in the area is ridiculous.
- 12) The highlighted areas are continually used for overnight parking and as rest stops through the day. Leeming bar services has good facilities available so there is absolutely no need for the use of the highways and pavements.
- 13) There are a large amount of truck spaces about 500 yards away at the two service stations on either side of the A1
- 14) To avoid the situations that the staff have been put in regards to the verbal abuse. To make it safer when entering and leaving our premises for parents and staff and so we can maintain a clean environment with out having to pick up other peoples rubbish before we start our day.
- 15) Vehicles should park in designated service areas. There are no facilities on industrial estates for overnight parking.
- 16) Very dangerous trying to get in and out of estate
- 17) Yes for all the reasons stated in the response to question 2 above, and for the welfare of the local residents who live within the vicinity of the industrial parks.
- 18) Yes I agree the industrial estates are mainly food production and having litter including human waste discarded is a health hazard and parking on roads and public footpath is an accident waiting to happen.

Local community group or residents association

- 1) Designated appropriate locations should be set up, otherwise the problem will just reappear elsewhere such as Northallerton?
- 2) If the drivers had respected the area keeping noise, littering of bodily excretions & disturbances to a minimum, this would not be in question
- 3) Yes, because I feel something has to be done. Locally we are trying to make Leeming Bar a better place to live so why should we have to put up with this. I also think the LOW STREET area should be included. Up to bypass.

Parish or District Councillor in an official capacity

- 1) I think the PSPO will go some way to alleviating the difficulties faced by local residents.
- 2) The area is about correct and relates to the Industrial Estate and Truck Stop and surrounding roads.

Lorry driver who uses Thirsk Industrial Estate

- 1) A above Q3 (We need to obey working hours and driving hours law. this proposal puts pressure on drivers to break either of these laws just to find somewhere to park and sleep. (we do not camp we sleep in our cabs)
- 2) As no facilities will be made available and lorry drivers are already treated like shit
- 3) Because local council's seem to hate lorries and are trying to ban them all over the country soon we won't be aloud to park anywhere
- 4) Because we need somewhere to park
- 5) Both industrial areas are close to major road with good link roads. The problems that have caused the recent issues to occur are the result of a small handful of disrespectful truck drivers (sometimes forgein) and local residents/youths, who I have witnessed first hand littering and causing noise late at night. The majority of truck drivers only want a safe place to park with amenities in walking distance.
- 6) Coz if a company don't pay for services witch then we need to pay out of own pocket when there should be free rest stops around with toilets and water then you wouldn't have a problem with drivers parking
- 7) Don't just ban things when there is clearly a quantifiable need. Create parking zones and provide toilets. A change can be made and the local council can gain some revenue.
- 8) Drivers have to park somewhere, truck haters would soon complain if we all went on strike when the shops were empty. Nimbys
- 9) From the m62/a1/m1 any laybys we used to use have been removed and the a19 only has 2 real laybys that give a lorry driver his rest without been woken up by every passing vehicle on the a19. Whilst i understand there is a issue with litter there are no bins or the omes thatbare available fill really quick. Unfortunately there are like in any job or parts of society where small numbers effect large number. It is not the hgv drivers fault for parking there when his company will not pay for the trucks to park amd again exelby north is small and can fill up early sp what do we do?
- 10) Hgv drivers are being left with less places to stop overnight. It is of utmost importance that we get the rest we are legally obliged to take, having fewer places means we then go over our driving hours and thus incur penalty charges and lead to an accident due to improper/disturbed rest. We are being strangled by our own contradictory laws as it is so perhaps the answer is to provide a solution where everyone can win. Provide appropriate parking like a truck stop in the area, provide bins for those that let the rest of us down, for refrigerated vehicles have them park in type specific allocated spaces. Often industrial estates are a last resort, maybe we've had to spend on bills this month and cant afford proper, safe parking. Or maybe we've simply just run out of time. If you had a choice would you choose secure parking with a hot meal or a sandwich in a busy industrial estate, really?
- 11) I cannot agree to this type of restriction on controlled drivers are whom have the drivers hours and regulation to abide by. For a police officer to ask an HGVdriver to move on she that driver would be to tired to do so would in its self be a breach of the law. So both party's would the be forced to either issue a fine or receive that fine and in the case of £100 would mean that driver had worked a long day for absolutly nothing and could but more likely would put that drivers family I to a dire financial situation for at least the following week. This neither fair nor right. I understand the frustration felt in regard to litter and waste yet how costly would it be to install enogh waste recepticals around these estates or even provide proper parking for these drivers who are doing more than servicing our country by moving business and other essentials such as food ,clothing building materials ect. The list for this is endless.
- 12) I live in thirsk and if you were to provide more bins or more parking then maybe we would use them.
- 13) I would completely agree with the proposed PSPO's if sufficient overnight parking for lorries was provided in the area. The provision current overnight parking at the motorway services and Truckstops is totally insufficient. People seem to forget that drivers have to take rest periods in compliance with the Drivers Hours regulations and whilst we make every effort to plan our journeys we regularly find that all available spaces are taken at our planned stop over point. This results in having to park on the roadside to met our legal obligations.
- 14) Industrial estates were designed to keep trucks away from towns and villages but now the houses have been built so close that we now aren't allowed to park where we have parked for years... coneygarth is far to

small. In all my years parking in thirsk I have never had a complaint from any of the businesses in the ind est about us parking there. We certainly don't leave the mess in the ind est either. Alot of these pictures don't show the actual location and deemed as untrue

- 15) Its a shame that you are thinking about banning over night parking as a number of drivers are spoiling it for the rest of us. I, have invested in a portaloos for my wagon so i never leave human waste on the streets. I also respect the area and try to be as quiet as possible. Is there any chance of installing cctv to prosecute those who are misusing the area?
- 16) It's not always easy to find quiet suitable parking which is free. Put bins and a toilet there and support lorry drivers.
- 17) Lorries have to park somewhere. If you supply a lorry park then we would not have to park on the road. PLEASE remember goods have to go places and allowing trucks to park for the night helps us immensely.
- 18) Lorry have to park somewhere. If there is no parking drivers will stop having nights out and goods won't be delivered. Its a typical "not in my back garden" snobbish attitude that's making this country crap
- 19) No places to stop safely.
- 20) no. I know some residents who live with area who park trucks overnight and go home to see their family. Also not all rubbish is from HGV drivers i have seen car drivers on many occasions open door and litter and just drive away. Most HGV drivers use bins provided or take rubbish away. But always a small minority that spoil it. Also alot of drivers at thirsk walk into town and spend money within community of food and drink
- 21) Not enough parking for hgv in the area were your load is safe from thieves thirsk has regular police activity so I feel safe and secure there
- 22) The council should make provisions for proper amenities in the area toilets bins ect you ban people you will only make it worse and put in danger the person issuing the tickets but I suppose it's a way for you to make money!!!! Persecute the lorry driver as usual
- 23) The majority of drivers who do park at Thirsk are very respectful maybe do a patrol and find the ones who arnt and give them a banning order rather than ban the good ones.
- 24) The majority should not be punished for the minority. Bins could be provided. And cameras which will help in the prosocition of drivers leaving rubbish behind.
- 25) There is a severe lack of safe secure and quiet parking around the area, at thirsk it is quiet and safe and you can have a good nights rest granted it's only 9 hours from clocking off to starting work again, sleeping in lay-bys on the a19 mean disturbed sleep patterns increasing the risk of drivers getting fatigue and falling asleep at the wheel. If there were more litter bins and perhaps a toilet block somewhere near that would result in less mess and nuisance, as a fellow lorry driver it annoys me that there is so much litter left behind but when there's no where to put it most people drop it, and when you live in the lorry all week toilets and good facilities are hard to come by. I think you could add parking meters for say £3/5 a night as most would be willing to pay this amount there's an industrial estate over in Cheshire that charges £5 per night and has toilet block on site and the area is always clean and presentable. Unfortunately your targeting every single truck driver in the uk due to the actions of a few.
- 26) There isn't enough safe secure parking in the area lay-bys being closed cafes being closed on the old A1 and A19
- 27) There isn't enough safe secure parking in the area lay-bys being closed cafes being closed on the old A1 and A19
- 28) There needs to be places to park for drivers. it's not that we want to stop here and upset residents. we have no choice due to regulations and no where else to park. we would much prefer to have a designated space with enough space to fit us all in the same place. however we are just trying to do our job. leaving the place untidy though is not acceptable. maybe having places for rubbish and emptying it often?
- 29) Thy are industrial areas and wagons are not doing any harme if councils put litter bins people might use them .Most councils up and down the country provide park for free and welcome lorry's .BUT NOT IN HAMBELTON AREAS THY DETESTED THEM.
- 30) Truck drivers park on industrial estates when they are delivering locally next day, have run out of driving time. We would rather be at home but your local businesses and shops would be in danger of running out of dtovk
- 31) Truck stop gets full very quickly which means got to park up early which has a knock on effect on work being completed on time. No facilities out in place, just pushed away and moved on. Getting harder and harder to do our job
- 32) Trucks need to park up, I have stopped in thirsk a few times and you can walk into the town and buy a decent meal and go to the shops instead of buying rip off food that costs a fortune on the services, just put

- some bins out and stop picking on truck drivers, also the new services are constantly full after 6 pm and that doesn't help the drivers that finish later on and struggle to find somewhere to park that's safe
- 33) Until there is proper secure parking within both areas banning overnight parking just shifts the problem elsewhere causing LGVs to park in roadside Laybys which do not provide quiet areas for daily rest periods. The local businesses also require LGVs to deliver and collect their goods . ,
 - 34) Until town councils or other planning authorities plan for hgv parking that is large enough to cope then their will always be problems. We require safe parking with amenities so we can toilet, feed and drink. Laybys near by are too close to the main carriageway and we can't or don't get a restful nights sleep. Some employer's will reimburse driver's for using lorry park's or motorway service area's leaving drivers out of pocket.
 - 35) We are truck drivers who deliver the product that the public have ordered the same people who want the parking ban.....all we want is a place to park safely get some food maybe a pint AND GO TO SLEEP....put more bins on the estate.....thirsk is a good spot I have parked there for years never any bother.....i don't no why I am doin this because things will never change.....truck drivers are all treat like dog shit.....but no one will understand how much we are needed and how quick the world would stop spinning without usTHINK ABOUT IT !!!!!
 - 36) We HGV drivers always get the brunt of the stick. Just because the minority spoil it you have to ban everyone! Pencil pushers sitting behind a desk yet again.
 - 37) We struggle to get parked up most nights its not every driver doing it just probably foreigners I never dispose of litter out of my truck always in a bin we work hard to deliver goods to shops and yet we are still treated like second class citizens there is a good pizza shop at thurs whom I'm sure will suffer if we are not allowed to park there
 - 38) You are just moving problem elsewhere also have no care for the drivers that work day and night to feed and house the uk
 - 39) You're happy for us to be there during the day to service local business but come night time no one cares, where are we supposed to park? Without us you'd have nothing. I think every town with an ind est should supply a parking area with facilities like Bury St Edmonds does.

Lorry driver who uses Leeming Bar Industrial Estate

- 1) Although I accept there is a serious issue for the residents,I am one of many drivers who respects the environment and who never leaves any waste of any kind. I think cctv should be used and monitored
- 2) Amenities should be provided for drivers who have little choice but to stop in these public areas.
- 3) As a driver. I and others are finding it harder and harder to find parking spaces. Since the upgrade of the A1 to motorway status. All parking areas have gone. The motorway services are not fit for purpose. Minimal parking and grossly exorbitant charges. Some drivers I know. Abuse the areas. But the majority do take care. All the driving industry asks. Is for more laybys or suitable parking areas be made available. Before the advent of said motorways. Your parking problem did not exist. Before you go ahead with this. Look at what alternatives there are for us.
- 4) As usual it is a minority giving us a bad name. We have no choice where we stop as we are heavily regulated. I believe steps should be taken to stop the issues such as FPN's but to stop parking is to create a whole new problem. Truck parking has become less and less available over recent years and with services charging upwards of £25 a night, many truckers, like myself, have to find alternatives.
- 5) Banning lorry drivers from parking there isn't the answer. These industrial estates need to have free parking areas with bins and toilets. Lorry drivers are just trying to make a living and most of the services and truckstops are often very expensive to park in and it's not always affordable
- 6) Better to have somewhere to park than to drive overtired and kill someone..serious lack of parking in uk
- 7) Due to the lack of overnight parking and facilities in the area where do you propose we lorry drivers park. We deliver often vital supplies to hospitals, supermarkets and other end users including the general public. Whilst I agree some of the behaviour of my fellow drivers is unacceptable and I personally would prefer to stop at a licenced Truckstop the facilities are few and far between.
- 8) Due to the nature of my work I have to be available at any point in time to load at the ice cream factory...on the estate
- 9) I could be delivering or collecting from companies in these estates. By law we can only drive 9 hours a day therefore if you can get to the customers door its a bonus

- 10) I agree with keeping tidy but the price of parking and or restricted hours determines our parking. If bins are supplied it may help a lot of rubbish and human waste is deposited by our European partners. Everyone wants goods but not the wagons
- 11) I believe that this is the result of a few bad eggs and that we all should not be tarred with the same brush, lorries are essential to the day to day running of the country and the supply chain would simply stop without HGV. I understand your frustration with the situation, I would be too, but this is not due to hgv drivers in general, this is down to the poor behaviour of a few and should be dealt with as sick. I'm sure you would find that any decent, respectful driver would happily pull up a driver in poor or disrespectful behaviour, as this reflects badly upon us all. I hope you find a suitable resolution to the situation, but I really do not believe that this is the way around it.
- 12) I get £25 a night which has to cover parking, food. I don't agree with the expense of a truck stop/service area as when I'm in the continent the parking cheaper and services (shower/toilets) are cleaner than your own. There is also plenty of parking as well instead of 5/6pm your struggling to park in one.
- 13) Industrial estates are the next best option after truck stops for a good night sleep, as lay-bys aren't as safe and noisy so a driver wouldn't get the sleep they really need to be safe on the roads. As a driver I have never left any rubbish anywhere in the UK, I always take it home and dispose of it properly. But it always comes down to the minority to ruin it for everybody else.
- 14) It is hard enough already to seek overnight parking without additional restrictions limiting this further. Alternative methods such as bins etc could and should be provided. Maybe toilet facilities with signage too.
- 15) It's a council's duty to provide adequate parking and facilities for hgv drivers visiting the area with collections and deliveries.
- 16) It's a small minority of tramp like drivers that are ruining it for the rest of us! As my company doesn't pay for parking I have to rely on lay bys and industrial estates for a safe legal place to park and they are getting fewer and far between up and down the country... Why not put out more bins or install CCTV so the culprits can be caught?
- 17) Lorries are needed to move products made in the area the closer we are to the site the better
- 18) More often than not rubbish is there from people during the day, majority of truck drivers like myself have bins inside our trucks to gather our rubbish and then dispose of the rubbish into a suitable bin usually at base
- 19) Not enough facilities for trucks, due to a1 upgrade, no laybys, one new truck park at Leeming bar is not big enough, everybody needs you as a truck driver, but nobody wants you. Rubbish dumped in laybys is not always lorry drivers, I have seen cars and vans dump bags of rubbish on numerous occasions.
- 20) Not enough parking provided all over the country including this area. Lack of facilities for drivers parking, toilets and bins and also safety for loads and fuel is a disgrace
- 21) Not until proper provision is made for HGVs & their driver's to have proper secure overnight parking with the necessary facilities.
- 22) Parking for HGVs is very limited. HGV drivers are treated with contempt up and down the country. We legally have to stop, and options are limited. There isn't much parking between Barton Park and Wetherby. Barton Park is usually busy, Scotch Corner is unavailable to HGVs, Coneygarth is usually busy as is Leeming Bar and Wetherby. Provide us with bins and parking areas and we will use and respect them. There are bad examples, but that's no different than the general public
- 23) See above.
- 24) The local truckstops are full by 6 o'clock additional parking is still needed. Build more parking facilities before stopping hgv's to park.
- 25) There are not enough facilities on the A1 or A19. Coneygarth is normally full by 1800 and there are no other facilities in the area. As for the litter problem, there is no excuse for not taking it home but maybe bins could be provided. As for human waste, again there are no facilities we are human and do have needs. We work away from home all week & we need somewhere safe to stay, most industrial areas are quiet for a good sleep. The locals need to understand what we drivers go through to deliver the goods they buy.
- 26) There is already a lack of places to park. Do you like food? Or posh things from Argos? Then stop trying to force lorry drivers to park in unsafe areas
- 27) There's no where else to go
- 28) They are commercial areas. If trucks are expected to deliver to those properties they should expect trucks to be there whatever the time of day. Facilities wouldn't go a miss. It seems when it comes to lorry drivers were slowly getting strangled when it comes to facilities and parking... Why not be different? Why not make more opportunities for us than taking them away?

- 29) To put it in simply. HGV drivers are required by law to take breaks and to rest. There are not enough lorry parks in the area described so unless the council intends to build one, invest in creating local jobs, providing facilities for drivers and giving an option to fly parking then all you are doing is pushing the problem elsewhere.
- 30) We get to coneypath truckstop and it is full with no time left to drive we have to park up or we get fined for going over our driving time there is not a lot of places for us to park in area
- 31) We have to park up somewhere we need sleep to if we can't park there what do we do there just enough spaces for us Allan's it's cost us drivers a Fortune
- 32) Where are we supposed to park we have to stop when we reach our limits so what do you suggest we do bearing in mind we cannot drive anymore that day
- 33) Where else are people meant to stop that will be safe?? Why not provide toilets, bins etc to help the drivers out and keep it cleaner

North Yorkshire County Council Highways comments

1. If existing parking enforcement services are to be used to police the PSPO and issue fixed penalty notices Scarborough Borough Council (as the current provider) must be consulted to determine that they have the ability to undertake this service. North Yorkshire County Council would then be required to change their deed of commitment with Scarborough Borough Council to allow them to enforce the order when vehicles are parked on the highway, and Hambleton District Council would need to change the agreement with Scarborough Council to allow for enforcement on public land. North Yorkshire County Council has confirmed that they would only agree to change their deed of commitment if Scarborough Borough Council agrees to the proposals and that any costs associated with this are met by Hambleton District Council.
2. Hambleton District Council is asked to evidence that the nearby lorry parking facilities will have the capacity to cope with the displacement of vehicles from both industrial estates if the order is made. If there is not capacity then there would be a requirement / desire for a study to be carried out to determine the effects of displacement.
3. North Yorkshire County Council Highways have confirmed that any signage related to the PSPO does not fall within permitted signage within the Traffic Signs Regulations & General Directions 2016, therefore all associated signage will have to be located on land not in control of the Highway Authority for which planning permission may therefore be required.
4. It is essential that measures to address this anti-social behaviour are implemented through joint working to ensure they do not result in other traffic management problems.

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HAMBLETON DISTRICT COUNCIL

Equality Impact Assessment (EIA) Record of Equality Considerations

Manager's name	Gina Allen
Scope	Leisure and Communities
Date	Report to Cabinet – 15 January 2019
Version	1

Name of service/policy/strategy/guidance/project/proposal under consideration

Introduction of a Public Space Protection Order at Leeming Bar and Thirsk Industrial Estates

Is this a proposed or existing service/policy/strategy/guidance/project proposal

Hambleton District Council is considering introducing a Public Space Protection Order (PSPO) to address anti-social behaviour caused by lorry drivers parking their lorries overnight and camping in the cabs in the Leeming Bar and Thirsk Industrial Estate Areas.

What are the aims, objectives & projected outcomes?

Introducing a Public Space Protection Order for these two areas will reduce incidents of anti-social behaviour and improve the quality of life of those that live and/or work in these areas.

Involving and Consulting Stakeholders, Collection of data

Additional discussions and meetings have been undertaken with North Yorkshire County Council Highways Authority and North Yorkshire Police Hambleton Neighbourhood Policing Inspector.

Relevant quantitative and qualitative data relating to data collection and consultation

Data reviewed has come from North Yorkshire Police and Hambleton District Council (noise and nuisance) where residents and businesses have complained about litter, human waste, noise nuisance, light pollution, damage to property, damage to road surfaces, road safety concerns and aggressive behaviour from drivers when challenged.

Below is a summary of a public consultation held in June/July 2018 about a proposed PSPO.

<i>Do you agree with the proposed PSPO for the areas identified on the maps?</i>	Total	Leeming Bar		Thirsk	
		YES	NO	YES	NO
Response Summary:		158 (53%)	138 (47%)	83 (38%)	136 (62%)
<i>Response summary without lorry drivers</i>	344	158 (75%)	52 (25%)	83 (61%)	51 (39%)
Parish or District Councillor	4	4 (100%)	0	2 (100%)	0
Community Group or Residents Assn	3	3 (100%)	0	1 (100%)	0
Thirsk Overall	126	18 (20%)	71 (80%)	41 (34%)	79 (66%)
<i>Thirsk Residents</i>	53	10 (32%)	21 (68%)	24 (48%)	26 (52%)
<i>Thirsk Lorry Drivers</i>	51	0	46 (100%)	0	48 (100%)
<i>Thirsk Businesses</i>	22	8 (67%)	4 (33%)	17 (77%)	5 (23%)
Leeming Bar Overall	186	121 (67%)	61 (33%)	32 (39%)	50 (61%)
<i>Leeming Bar Residents</i>	104	87 (85%)	15 (15%)	26 (70%)	11 (30%)
<i>Leeming Bar Lorry Drivers</i>	42	0	40 (100%)	0	37 (100%)
<i>Leeming Bar Businesses</i>	40	34 (85%)	6 (15%)	6 (75%)	2 (25%)

Who are the main stakeholders in relation to this service/policy/strategy/guidance/project proposal

The community (residents and businesses); North Yorkshire County Council; North Yorkshire Police; Parish/Town Councils; Lorry drivers

Internal consultation and Involvement - what has taken place

Discussions and meetings have been undertaken with North Yorkshire County Council Highways Authority and North Yorkshire Police Hambleton Neighbourhood Policing Inspector.

External consultation and involvement:

Public consultation has been undertaken in the surrounding areas of the industrial estates. An online survey has been publicised to a wider audience, with social media posts being undertaken and four face to face events held in the locale of the estate areas. The consultation was held between 27 June and 25 July 2018. Face to face sessions were carried out on the following dates:

- Thursday 28 June, 7pm-8:30pm Thirsk Town Hall
- Friday 6 July, 1pm-3pm Leeming Bar Community Hub
- Saturday 14 July, 11am-12:30pm Leeming Bar Community Hub
- Thursday 19 July, 5:30pm-7:30pm Thirsk Town Hall

Local residents and businesses received leaflets and posters directly – including the Coneygarth Lorry Park area. Copies of the survey, maps, posters and leaflets were also displayed in the community and local police stations. Information was presented to Leeming and Aiskew Parish Councils.

What are the impacts for the employees/community?

Protected Characteristic	Potential Impact identified
Race	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that race will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of race. There is no evidence to suggest the race of the driver would be affected by the order.
Religion or belief	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that religion/belief will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of religion/belief. There is no evidence to suggest the religion or belief of the driver would be affected by the order.
Disability	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that disability will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of their disability. There is no evidence to suggest disability of the driver would be affected by the order.
Gender	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that gender will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of gender. However it is acknowledged that a high proportion of lorry drivers are male and therefore it can be anticipated that males may be disproportionately affected by the order.
Gender Reassignment	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that gender reassignment will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers

	irrespective of their gender reassignment. There is no evidence to suggest gender reassignment of the driver would be affected by the order.
Sexual Orientation	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that sexual orientation will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of sexual orientation. There is no evidence to suggest the sexual orientation of the driver would be affected by the order.
Marriage and Civil Partnership	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that marriage or civil partnership will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of their relationship status. There is no evidence to suggest marriage or civil partnership of the driver would be affected by the order.
Pregnancy and Maternity	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that pregnancy or maternity will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of pregnancy or maternity. There is no evidence to suggest pregnancy or maternity of the driver would be affected by the order.
Age	The PSPO is solely focussed on the behaviour of lorry drivers when parked in the industrial estates and surrounding areas therefore it is not expected that age will influence the actions of enforcement or the execution of the order. The treatment and process of applying the order remains the same for all drivers irrespective of their age. There is no evidence to suggest age of the driver would be affected by the order.
Other socially excluded communities or groups	There is no evidence to suggest that other socially excluded communities or groups would be affected by the order.

Assessing the Impact

Assessment:

The data reviewed and outcome of the survey results evidences that the anti-social behaviour undertaken by some lorry drivers in the locale of the two industrial estates is having a detrimental effect on the quality of life of those in the locality. The proposed PSPO concentrates only on these areas; the conditions on the proposed PSPO would positively impact on quality of life for those in the area.

Concerns have been raised by lorry drivers that if they were to park in other areas such as road laybys, they may become a victim of crime through theft of goods however reports of these type of crimes being recorded on North Yorkshire Police systems since 2006 are minimal.

The Council is aware of the concerns that an Order may displace the lorry drivers to other areas. A full evaluation would be undertaken at the six month point of a three year order to determine what impact – positive or negative – any order may have had on the local area.

Due to the significant concerns of displacement and concerns of lorry drivers that parking in other areas may increase their risk of becoming a crime victim (theft), all data including capacity of existing lorry park areas, crime reports, residents and businesses survey will be monitored.

Subject to the full evaluation being completed, the PSPO could be discharged if it was evidenced that the order was increasing the concerns in the local area rather than improving the quality of life.

Action Required

To monitor impacts for all stakeholders during the proposed six month review period to ensure that the order is not having an adverse effect on any specific socially excluded group.

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