

## **Transport and Parking Working Party Meeting Agenda**

Thursday, 10 November 2022 at 4.00 pm  
to be held via Zoom Meeting

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### **Membership**

Councillor Nicole Amil  
Councillor Jermaine Atiya-Alla  
Councillor Jane Barnby  
Councillor Ray Hill  
Councillor Chris Lewis

Councillor Swithin Long  
Councillor Robert Loxton  
Councillor Judith Mills  
Councillor Mike Morey

- 1. Minutes of the last meeting held on 18 August 2022** (Pages 2 - 6)  
To agree the minutes of the last meeting held on 18 August 2022
- 2. Action Tracker/Matters arising from the last meeting** (Page 7)
- 3. Member of the public requested to speak regarding CPZ Policy**
- 4. Dave Parsons to provide a synopsis on the new powers to tackle unauthorised traveller encampments**
- 5. Update on Bay wide approach for motor home/camper vans** (Pages 8 - 12)

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## **Minutes of the Transport and Parking Working Party**

**18 August 2022**

**-: Present :-**

Councillor Nicole Amil, Councillor Jane Barnby, Councillor Steve Darling, Councillor Ray Hill, Councillor Karen Kennedy, Councillor Chris Lewis, Councillor Swithin Long and Councillor Mike Morey (Chairman), Kevin Mowat, Susie Hayman, Ian Jones and Adam Luscombe

(Also in attendance: Councillor Andrew Barrand, Councillor Anne Brooks, Councillor Cecilia Brown, Councillor Nick Bye, Councillor Christine Carter, Councillor Darren Cowell, Councillor Cordelia Law, Councillor Barbara Lewis, Councillor James O'Dwyer, Lorraine Stewart, Councillor David Thomas and Councillor Jacqueline Thomas, Rodney Horder, Christine Davies and Phillip Churm – Press)

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**41. Minutes of the last meeting held on 5th May 2022**

All agreed that the minutes of the last meeting were an accurate record of the meeting held on 5<sup>th</sup> May 2022.

**42. Action Tracker/Matters arising from the last meeting**

KM ran through the action tracker with the actions recorded from the last meeting held on 5<sup>th</sup> May.

KM asked Cllrs NB & JO'D if they were aware of any reports of ASB that had been reported to the Police from the campervans parked at Meadfoot Road as KM has been advised that the police have reported that they have no reports of ASB recorded for any campervans. KM reiterated that any incidents of criminal activity should be reported to the Police via 101. Cllr SL commented that there is an email address and online form that can be used for reporting any non-emergency incidents to the Police ([101@dc.police.uk](mailto:101@dc.police.uk))

Reporting Antisocial behaviour to Police online - [Report anti-social behaviour | Devon and Cornwall Police \(devon-cornwall.police.uk\)](#)

Reporting Antisocial behaviour to Torbay Council online - [Report anti social behaviour - Torbay Council](#)

**43. Update on Ilisham Marine Drive traffic regulation order (TRO)**

IJ updated that the proposed traffic regulation order was sent to the ward members for comments and feedback was received from Cllr NB that the proposal was too

much so a suggested alternative proposal was sent. Cllr NB commented that this was discussed at a recent Community Partnership Meeting and the residents were happy with the amended TRO to be put forward. IJ advised that the agreed TRO proposal is now progressing.

#### 44. Update on Bay wide strategy for Motor home/Camper vans

SH introduced the update on a bay-wide strategy for motorhomes and campervans. There are two issues with motorhome/campervans parking on the highway and in the car parks. As previously discussed, it is not an offence for people to park on the highway in a motorhome or campervan and sleep in that vehicle overnight, however it is an offence to discharge waste.

SH advised that the website has tried to be as clear as possible to provide guidance for people parking within Torbay in motorhomes/campervans.

Motorhomes/campervans are not allowed to park overnight within Torbay Council owned car parks. On the website it does refer anyone wishing to park overnight to the English Riviera website for locations of campsites and caravan parks where they can choose to stay.

SH explained that there are some local authorities nearby who have introduced parking for motorhomes and campervans in local car parks which has been successful.

SH advised that the next stage is to bring to the November meeting, a full option appraisal which details proposals to allow motorhomes and campervans to park in Torbay Council car parks and try to address the issue of on street parking. Christine Davies (St Marychurch Community Partnership) commented that there are campervans/motorhomes that park up at Babbacombe Downs for several days at a time which restricts parking bays for other visitors. CD asked SH when it is planned to review solutions for parking on Babbacombe Downs. SH commented that there is a scheme being worked on to be introduced into Babbacombe Downs which is to introduce parking restrictions/charges to ensure vehicles are not parking for long periods of time and allow for increased parking bays during the day.

CD asked if it is only an officer who can witness waste being discharged onto the highway to allow for this to be enforced and IJ agreed that this is correct but will look to see if video footage provided could be used as evidence.

Several Councillors raised individual concerns about motorhome/campervans parked in residential areas in different parts of the Bay.

SH summarised after the conversation that officers were aware of the issues but the introduction of parking restrictions into certain roads, would simply displace the problem elsewhere. Officers will continue to look into these issues and investigate solutions that might be working elsewhere in the Country. **ACTION – SH/IJ**

#### 45. Update on the use of section 77 legislation

KM provided an update from Dave Parsons and Legal colleagues on the potential use of section 77 legislation.

KM advised that a recent email has been received by a local resident on this matter which was copied to the Chief Executive who has asked Legal colleagues to once again review the options and to provide advice to officers.

KM updated that there are new powers introduced by the Police, Crime, Sentencing and Courts Act 2022, that are aimed to tackle unauthorised encampments. Torbay Council is trying to work with Police colleagues to see if these can be used within Torbay.

KM advised that a synopsis on the new powers will be brought back to the next meeting in November. **ACTION – LS to email Dave Parsons**

#### **46. Road Casualty Reduction Report 2021**

IJ introduced the report. It is brought to the Transport & Parking Working Party annually once the figures have all been collated and checked. IJ then ran through the highlights of the report. There were unfortunately 2 deaths in Torbay in 2021. IJ apologised as he identified an error in the report for the KSI's for 2021 which is actually 51 and not 59 as stated within the report. This is an increase from the previous year.

Torbay Council are working closely with partners at Vision Zero South West to raise concerns and look at wider strategies on how to reduce casualties.

Cllr JO'D asked if it was possible to identify any areas where the accidents are taking place and are there any incidents happening in clusters in specific areas. IJ stated that cluster patterns are certainly a cause for concern and are investigated when they occur.

Cllr KK asked if it was possible to identify the types of incidents as well to help to inform what, if any, measures need to be taken around road safety. IJ commented that information is provided through police reports which does not always provide detailed information. Currently working with Vision Zero SW to try and improve the reporting and information that is provided from the Police. IJ advised that it has been requested through Vision Zero SW to also include information from the Fire Service and Ambulance Service within the information that is received from the police.

The report was noted following a brief debate.

#### **47. Road Safety Initiatives 2022/23**

IJ introduced the report and explained that this report is drafted from the accident statistics and any areas where the emergency services ask for assistance with. The areas are prioritised from looking at the resources and budget available.

IJ explained that Appendix 1 highlights the areas in previous reports that have not been able to be completed.

Appendix 2 is an analysis of areas that were raised last year and provides an update on these schemes.

Appendix 3 is a list of all of the recent request of areas to be looked at for introducing 20 miles per hour schemes and explained the list of areas.

IJ summarised that he was seeking views on the list of the schemes put forward.

Cllr C Law commented that she urges the Working Party to go ahead with the proposed schemes but is concerned about no pedestrian crossing to be introduced at Queensway. She asked that IJ speak with Rachel Williams with regards to St Michaels Primary School in Paignton and the temporary classrooms being used as there may be a need for traffic restrictions introduced there. IJ commented that he cannot guarantee that any roads would have no accidents at all but Queensway is on the list to introduce 20 mph speed zone and some minor changes to the road will be carried out when this is introduced.

Cllr C Lewis commented that he believes Preston Down Road needs to be moved up on the list for road safety initiatives to be introduced due to the previous accidents that have happened by the house on the corner and there are plans to build 100 more homes in the road. IJ commented that he understands that chevron signs are being introduced in this road soon.

Cllr KK commented that she believes a dedicated cycle lane could be introduced on Dartmouth Road instead of only signage being introduced on this road to be in conjunction with LCWIP.

Both Cllrs DC and NA both commented that they are pleased with the detail stated within the plan to introduce 20 mph road safety zones into roads outside local primary schools.

Cllr CC asked if St Michaels Road, Paignton was being included due to the Primary schools around there and the fact the houses gates open straight on to the road. IJ commented that there would be some additional engineering interventions required to include St Michaels Road. He went on to say that the Fisher Street zone will include roads near St Michaels Road and includes St Michaels school.

Cllrs AB and NA both commented that they believe that a pedestrian crossing should be introduced into Queensway and that this should be a priority due to the location of the Primary School and issues with parked cars on that road.

Cllr JT asked if there were any other schemes that could be introduced into Foxhole Road due to the number of young families that live within the area. IJ suggested that Community Speedwatch is something that could be considered and if the community are interested then this can be discussed with Vision Zero SW. Cllr JT also asked if it was possible for double yellow lines to be introduced into the bottom of the road. IJ advised that this has already been requested and is in the work programme.

Cllr DT commented that he is in support for a pedestrian crossing to be introduced into Queensway and believes that this should be prioritised.

The Chairman summarised that the support today is to prioritise Queensway, Barton Road and Fisher Street proposals as soon as possible.

Cllr JO'D questioned what the knock-on effect of the trial closure of Torbay Road would be. IJ commented that there are not any major concerns as there are other crossing points on Esplanade Road and he does not believe any further crossing points need to be introduced until the trial has taken place.

**48. £570k Highways spend**

KM advised that an update will be sent out to all members to detail how the £570k is intended to be spent. **ACTION – KM/LS**

The broad scope of how this allocated budget will be used was agreed at a full Council meeting.

## Transport and Parking Working Party Action Tracker

DESCRIPTION	BY WHO	COMPLETION DATE	UPDATES/NOTES
<b>Meeting Date - 10th February 2022</b>			
An email to be sent to all members to request that they email KM with any problematic roads to be reviewed for implementing TRO's	KM/LS		
NB to put his request in writing for a TRO to be implemented in Wellswood and sent to to KM/MM/IJ	NB		
Active Travel slides from the presentation to be sent out to all members	AG		
AL to review the contract paper work for installing electric charging points with regards to the type of electric used	AL		
<b>Meeting Date - 5th May 2022</b>			
To update the attendance on the February 2022 minutes to show NB was in attendance	LS	06/05/22	
To send any details of criminal activity being carried out by the occupants of the campervan to Dave Parsons to investigate	NB/JO'D		
To discuss Section 77 legislation with Dave Parson, Legal colleagues and Anne-Marie Bond	KM		
To contact other authorities to see if they use Section 77 legislation	SH/IJ		
<b>Meeting Date - 18th August 2022</b>			
Motorhome Parking - Officers will continue to look into these issues and investigate solutions that might be working elsewhere in the Country.	SH/IJ		
Email to be sent to Dave Parsons for a synopsis for the new powers to tackle unauthorised encampments	LS		
Highways spend update to be sent to all members	KM/LS		

**Report Title:** Options Appraisal on a Bay-wide approach for Motorhome and Campervan Parking

## 1. Background

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- 1.1 At the Transportation and Parking Working Party held on Thursday 18<sup>th</sup> August 2022 it was agreed for an Options Appraisal for a Torbay wide approach for the parking of motorhomes and campervans to be brought to the next meeting of the Working Party.
- 1.2 Consideration of a consistent approach/strategy has been requested to ensure that the Council avoids a reactive or piecemeal response to the issues raised by motorists who wish to park their motorhomes and campervans in Torbay.
- 1.3 As reported at the meeting on the 18<sup>th</sup> August 2022, as a premier tourist destination it is important to ensure those with motorhomes and campervans are welcomed to Torbay to experience all the Bay has to offer as a premier destination. It is equally important that we assess the issue of local residents parking their motorhomes/campervans on the highway near to where they live or elsewhere in the Bay. The report below sets out the update presented to the Meeting on the 18<sup>th</sup> August, as well as some additional information.

## 2. Current Situation

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### On the Highway

- 2.1 As advised at the meeting on the 18<sup>th</sup> August 2022, it is not an offence to use a vehicle on the highway for eating, sleeping, etc. It is however an offence to discharge effluent or waste on to the highway, which is a matter for environmental protection to consider. This will not be an easy issue to enforce. Education and softer enforcement techniques are likely to be more productive than prosecution. A more punitive approach will need to meet the 'public interest test', which is certainly possible but not a given. The offence will need to be witnessed, ideally by more than one person, who can clearly state that the discharge of any effluent or waste onto the highway, was caused by a particular individual. Both the hard and soft enforcement routes will be resource heavy.
- 2.2 The Council do already provide information on the website for those with motorhomes and campervans and how to park their vehicles.



- 2.3 There are a significant number of these types of vehicles being used where this is their main vehicle and any changes to restrictions need to recognise the impact on these users.
- 2.4 Parking restrictions may be considered to restrict these types of vehicles or to restrict the periods when parking of these vehicles may be permitted. Restrictions can only be implemented to control the parking of vehicles and will not control the occupation of any vehicle or the behaviour of occupants. This method is already in use in the Bay and is commonly used by other local authorities.

### **In Car Parks**

- 2.3 Currently the off-street parking places traffic regulation order does not allow overnight camping in Torbay Council operated car parks. The website provides motorhome and campervan owners with information on how and where to park which also signposts and provides a link to the English Riviera Accommodation website.
- 2.4 Officers are aware of how other local authorities have dealt with the situation of motorhomes and campervans within their Car Parks, which include Torbay's current situation of not providing any overnight camping facilities as well as those providing overnight parking for self-contained motorhomes and campervans. Some areas also provide further facilities of toilets and showers as a minimum. Dependent upon the facilities provided, the charges for these vary.

There are local authorities in Devon who now allow overnight parking in nominated car parks at a fee for a maximum of 2 nights.

## **3. Issues considered for the Options and Recommendations**

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### **On the Highway**

There are three main types of motorhomes and campervan parking issues taking place on the highway, which causes concern, these are as follows:-

- 3.1 Touring motorhomes and campervans which park on the highway in high amenity areas and effectively camp in the vehicle for a few days rather than use the recognised accommodation sites. These tend to be visitors.
- 3.2 Motorhomes and campervans which are parked on the highway and causing a nuisance as they are being used to reside in for long periods. The locations used can vary and may be chosen because of convenience to the individuals and are often different locations to those identified in 3.1 above. These are not usually people on a short holiday.
- 3.3 Motorhomes and campervans legitimately parked on the highway and not being occupied; however, they cause a perceived nuisance by parking for long periods of time and may be deemed to cause an obstruction or other issue to the highway user or nearby resident. There

is evidence that this may be more prevalent during the winter period where these are effectively being stored, rather than pay for the appropriate facilities off road at a fee. These would be vehicles that are taxed, insured and deemed roadworthy.

## **In Car Parks**

- 3.4 Motorhomes and campervans can park in Torbay Council operated car parks during the day and pay the relevant fee for as many spaces as they are occupying. Some car parks prevent this activity through the use of over-height barriers and this can be for a variety of reasons. At a beach location the barriers prevent the creation of a de facto caravan/campervan park and with multi-storey car parks there are physical/structural reasons for such barriers.
- 3.5 There is no provision for overnight camping in car parks for campervans and motorhomes. Whilst there is not a widespread issue currently, it has been identified that in some car parks, generally in prime location sites, motorhomes and campervans are parking overnight and using the car parks as a cheaper alternative to using recognised sites.

## **4. Options**

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- 4.1 In order to assess the options available for both the Highway and Car Parks, with respect to inappropriate camper van parking, it should be noted that additional resources will need to be considered, before recommendations can be made for a consistent Bay-wide approach. The issues are as follows: -

### **A Highways**

Before any informal strategy or approach can be agreed there will need to be an assessment of the resources required from various departments within the Council which will include Community Safety, Environmental Protection, Legal, etc. to ensure the appropriate action is taken. It may be the case that many instances of inappropriate motorhome/campervan parking will not be solved simply by highway interventions, such as parking restrictions, and therefore issues around the behaviour of occupants will be subject to potential enforcement by other Council Departments.

Enforcement of issues that cannot be simply controlled by highway interventions will require the resources of different teams within the Council and the appropriate level of skilled officers available. Any changes to parking restrictions will require formal consultation and consideration of how other motorists and residents in the area and adjacent areas may be affected by these changes. It is entirely likely, if not a certainty, that any new parking restrictions, will simply result in the vehicles concerned being displaced to alternative parking areas, in adjacent streets. This would simply shift the problem, or the perceived problem, from area to area.

Any of the above solutions will require appropriate resources and budget provision. Capacity will be required to draw up and consult on Traffic Regulation Orders, signs and lines will need to be put in place on the ground and staffing levels considered to deliver effective enforcement.

## **B Car Parks**

Given that Torbay does not have the luxury of under capacity in off-street car parking during the summer months and the Bay is blessed with excellent provision for motorhomes/campervans, in the form of holiday/caravan parks, officers believe the existing arrangements should be kept i.e. no overnight parking of motorhomes/campervans in Council car parks

However, if Members wish to pursue an alternative strategy or approach, then resources need to be identified to investigate the feasibility of the option to offer overnight parking in car parks within Torbay for self-contained motorhomes and campervans, to take into account the following which include legal requirements:-

- Any insurance implications changes as the car park would be used for sleeping.
- Change to the Traffic Regulation Order
- Change to signage for the car park
- Wider parking bays to accommodate these vehicles
- Appropriate signage/lines/barrier to ensure there is a separation distance of not less than 3 metres between each vehicle parking overnight.
- Ensuring all appropriate regulatory including health and safety regulations are adhered to
- Consultation with ward members and the local community for any suitable car parks
- The budget required to make these changes.

Once these feasibility studies have taken place the following options could be considered.

### **4.2 On the Highway**

The following options may be taken forward into a new approach through new operational policies.

- 4.2.1 **Touring motorhomes and camper vans.** Introduce an operational policy which acknowledges and accommodates an acceptance of lawful overnight parking on the highway in line with the legislation with consideration for parking restrictions in high amenity areas only where tourists are currently parking for a few nights. It will not be possible to introduce a Bay-wide restriction to limit this type of short-term use in many locations, however this option sends a message that Torbay remains open for business for tourists who visit in camper vans, should such a message be necessary.

4.2.2 **Motorhomes and campervans being used as long-term accommodation.** Introduce an operational policy, which is clear on how the Council will deal with this type of use of the highway and the environmental issues. It would show how the Council will support anyone who may be undertaking this type of use, who may not have a permanent residence. Involvement of all relevant Council departments to support and use appropriate legislation when there is discharge of effluent, etc. on to the highway. This would mean a 'carrot and stick' approach being adopted by the Council. As it is likely that parking restrictions would only serve to displace the issue to other locations in the vicinity, and impact on other highway users, these are unlikely to act as a solution to the use of camper vans in this manner.

4.2.3 **Motorhomes and campervans using the highway as a storage Option.** Introduce an operational policy, which is clear on how the Council may deal with this type of use of the highway and how the Council could deal with vehicles which are parked for long periods of time causing an obstruction or other danger to the highway. To consider the impact in the locality of where the vehicle is parked and how any changes will affect other users of the highway. This approach would need to be adopted on a case-by-case basis, with the solutions based on the individual merit of the parking issue and the surrounding roads.

4.2.4 There is also an option to take no further action in respect of motorhomes/campervans that are legitimately parked on the highway.

#### 4.3 **In Car Parks**

4.3.1 Consider undertaking the feasibility work identified in 4.1 B above. This option is not recommended by officers.

4.3.2 Do not introduce a scheme to allow overnight parking for motorhomes/campervans in Torbay's car parks and direct all users to existing camping/accommodation facilities in the area.

## 5. Recommendation

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5.1 The Working Party is asked to consider this report and to provide feedback to the Director of Place and the Cabinet Member for Infrastructure, Environment and Culture, on the options outlined in 4.2.1, 4.2.2, 4.2.3, 4.3.1 and 4.3.2, as set out above.