

**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.