

North Yorkshire County Council

Right to challenge parking policies – petition scheme

This petition scheme has been developed in accordance with the Department for Communities and Local Government *Right to challenge parking policies, Traffic Management Act 2004: Network Management Duty Guidance* (March 2015).

Please be aware that the County Council is only responsible for parking issues on the highway (roads). The district councils are responsible for local authority controlled off-street car parks and issues relating to them should be directed to the relevant district council.

Minimum requirements for a valid petition

1. The threshold for the minimum number of signatories is set out below. The threshold differs depending on whether the issue relates to single/multiple streets or a whole village, town or district.
 - Where the issue relates to a single street or multiple streets then at least 20% of registered addresses within the affected area need to sign the petition.
 - Where the issue relates to a whole village, town or district then at least 3% of the total population needs to sign the petition.
2. All signatories, whether they are individuals, businesses or groups will be given equal weighting.
3. The following information must be provided:
 - The area addressed by the petition (a map should be provided where possible)
 - The issue that you would like to be reviewed. Please note that parking strategy in North Yorkshire has been implemented in accordance with the Network Management Duty set out in the Traffic Management Act 2004, which requires the County Council to do all that is reasonably practicable to manage the network effectively to keep traffic moving. You should therefore seek to highlight how in your opinion the issue raised demonstrates that the County Council is not fulfilling this duty.
 - Contact details, including an address, for the petition organiser
 - The name and address (including postcode) and signature of any person supporting the petition
4. The petition must include a fair processing notice as required by the Data Protection Act 1998, explaining to people that the personal details they provide in connection with the petition will only be shared with the petition organiser and the County Council. An example is suggested below:

"North Yorkshire County Council (the council) will become the data controller when the petition is deposited with the council. The details you provide on this form will only be used for the purpose of this petition. Your information may be shared with the petition organiser, council officers, members of the council or service providers."

Non-valid petitions

We will not take action on any petition which:

1. We consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.
2. Raises an issue that has been highlighted in a previous petition within the last two years.
3. Relates to a scheme and/or Traffic Regulation Order that has been implemented for less than six months.

Process for managing a petition

The process for managing a petition is set out below:

1. Petitions should be sent to the Assistant Director, Highways and Transportation, North Yorkshire County Council, County Hall, Northallerton, North Yorkshire, DL7 8AD or bes.contactus@northyorks.gov.uk clearly marked for the attention of the Assistant Director, Highways and Transportation.
2. All petitions will be acknowledged within 10 working days of receipt. Unless the petition is considered to be non-valid (see above) a review will be undertaken.
3. There will be consultation with the local County Councillor (s), district council, parish/town council, the Federation of Small Businesses and other representative trade/business organisations.
4. Where a petition has a wide area impact, there will also be consultation with the relevant Area Committee(s) before a decision is taken. A wide area impact is classed as an issue satisfying all of the three criteria set out below:
 - The proposal affects more than one street or road and,
 - The proposal affects more than one community and,
 - The proposal is located within the ward of more than one County Councillor.
5. A decision on the outcome of the review will be taken by the Executive.
6. The petition organiser will be provided with a copy of the final report and advised of the details of the meeting at which the decision will be taken. Decisions will be taken at meetings in June and December (or nearest available date) each year. The minimum time required to complete a review and take a decision will be 3 months from the date the petition is received. However, for large or complex reviews a longer period of time will be required. The petition organiser will be advised of the likely timeframe when the petition is acknowledged.
7. To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our website, except in cases where the petition is considered vexatious, abusive or otherwise inappropriate. We will also publish the outcome of any review and the decision.