

Croydon Council

For General Release

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 29 April 2015
AGENDA ITEM:	11
SUBJECT:	OBJECTION TO PROPOSED DISABLED PARKING BAYS
LEAD OFFICER:	Jo Negrini, Executive Director of Place
CABINET MEMBER:	Councillor Kathy Bee, Cabinet Member for Transport and Environment
WARDS:	Ashburton, Upper Norwood, West Thornton
CORPORATE PRIORITY/POLICY CONTEXT: This report is in line with objectives to improve the safety and reduce obstructive parking on the Borough's roads as detailed in: <ul style="list-style-type: none">• The Croydon Plan; Transport Chapter.• The Local Implementation Plan; 3.6 Croydon Transport policies• Croydon's Community Strategy; Priority Areas 1, 3, 4 and 6• Croydon Corporate Plan 2013 – 15• www.croydonobservatory.org/strategies/	
FINANCIAL IMPACT: These proposals can be contained within available budget.	
FORWARD PLAN KEY DECISION REFERENCE NO.: n/a	
1. RECOMMENDATIONS That the Traffic Management Advisory Committee recommend to the Cabinet Member for Transport and Environment that they: <ol style="list-style-type: none">1.1 Consider the objections received to the proposals to provide a Disabled Persons' parking bay in Medway Close - Ashburton, Bradley Road - Upper Norwood and Wingate Crescent - West Thornton, including officers' recommendations in response to these.1.2 Agree, for the reasons detailed in section 3, to introduce the Disabled Persons' parking bay:-1.3 In Medway Close and Bradley Road at revised locations detailed in para. 3.3.1	

and 3.5.1; and

- 1.4 In Wingate Crescent as originally proposed at para. 3.7.1
- 1.5 Agree to delegate to the General Manager of Operations and Infrastructure (Highways and Parking) the authority to give notice and make the necessary Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended).
- 1.6 Inform the objectors of the decisions.

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to enable consideration of the objections received from members of the public following the formal consultation process on the proposals to provide a disabled parking bay in Medway Close - Ashburton, Bradley Road - Upper Norwood and Wingate Crescent - West Thornton. Formal public notices to introduce the proposals were published on 18 March 2015 (for Medway Close and Wingate Crescent) and 11 February 2015 (for Bradley Road). The public had up to 21 days to respond.
- 2.2 Officers have fully considered the objections and this report details the objections and the Officers' recommendations in response to these.

3. OBJECTIONS AND RESPONSES

- 3.1 Following a public notice of the proposals to introduce disabled bays at a number of locations borough-wide, objections have been received to the proposed bays in Medway Close, Bradley Road and Wingate Crescent. The stated grounds for the objections and officers' responses and recommendations are outlined in the paragraphs below.

3.2 Objections – Medway Close, Ashburton

An objection has been received from a local resident to a proposed disabled bay in Medway Close. The objection is on the grounds that there is an existing disabled bay in the road already and to have a second disabled bay will cause even more demand for the remaining parking availability. The objector also suggests that the proposed bay be moved 2.5 metres to meet the existing bay to minimise loss of parking.

3.3 Officers' Response

The disabled bay has been proposed following an application from a disabled resident. One disabled bay is provided per applicant, so the existence of a disabled bay in the street is not relevant when considering a new application. However, this objection has led to a review of the proposal.

- 3.3.1 As a result of the review, it is recommended that the proposed bay is repositioned next to the existing one to minimise loss of parking space in the road. The revised

proposal is shown on drawing number **PD – 265e-r1** and as this is a material change to the original proposal it will be necessary to carryout a further formal consultation.

3.4 Objection – Bradley Road, Upper Norwood

An objection has been received from a local resident to a proposed disabled bay in Bradley Road. With diagrams illustrating their point, the objector argues that the proposed disabled bay encroaching across the frontage of their property will result in a loss of a parking space. They request that the Council reconsiders the location of the proposed bay and suggest that the bay is repositioned slightly to avoid unnecessary loss of parking space. They emphasised that parking is already reduced by the presence of dropped kerbs and another disabled bay on this stretch of road, adding that the nearby St. Joseph's Junior School also puts pressure on parking during the school opening and closing times.

3.5 Officers' Response

The proposed position of the disabled bay is considered the best for its proximity to the applicant's home. However, the conclusion from a review of the proposal as a result of this objection is that there is scope to reposition the bay at the proposed location. This will secure the existing parking availability without any inconvenience to the applicant.

- 3.5.1 As a result of the review, it is recommended that the proposed bay is repositioned at the proposed location as shown on attached drawing number **PD - Brad-r1**. This will secure the existing parking availability as suggested by the objector without any inconvenience to the applicant. As this is a material change to the original proposal it will be necessary to carryout a further formal consultation.

3.6 Objections – Wingate Crescent, West Thornton

An objection has been received to the proposed disabled bay in Wingate Crescent from a local resident. The objector argues that the disabled applicant does not fulfil the criteria for a disabled bay and for the proposal not to proceed.

3.7 Officers' Response

The Council have strict criteria that the applicant must meet for a disabled bay to be provided. This applicant has fully met the criteria for the provision of a disabled bay by the Council. That an objector is not aware of their neighbour's disability is not relevant to the application, although it shows that disability is not always visible. Any inconvenience arising from the proposed disabled bay will be minimised by the fact that the bay could be used whilst loading/unloading goods or dropping off/picking up a passenger when the bay is unoccupied.

- 3.7.1 In view of the above, it is recommended to proceed with introducing the disabled parking bay as shown on drawing number **PD - 265j**.

4. CONSULTATION

- 4.1 The legal process requires that formal consultation takes place in the form of public notices placed in the London Gazette and a local newspaper (Croydon Guardian). Although it is not a legal requirement, this Council also fixes notices on lampposts and signposts in the vicinity of the proposed scheme to inform as many people as possible of the proposals.

- 4.2 The above notices allow members of the public 21 days from the date of publication to respond in writing.
- 4.3 Organisations such as the Fire Brigade, the Cycling Council for Great Britain, The Pedestrian Association, Age UK, The Freight Transport Association and bus operators are consulted separately at the same time as the public notice. Additional bodies, up to 27 in total, are consulted depending on the relevance of the proposals.
- 4.4 No comments or objections were received from any of these organisations in response to the consultation.

5. FINANCIAL CONSIDERATIONS

There is a revenue budget of £50k for CPZ undertakings and £50k for Footway Parking and Disabled Bays from which these commitments if approved will be funded. Attached to the papers of this meeting is a summary of the overall financial impact of this and other applications for approval at this meeting. If all applications were approved there would remain £11k un-allocated to be utilised in 2014/2015. If all applications were approved there would remain £71k un-allocated to be utilised in 2015/2016.

5.1 Revenue and Capital consequences of report recommendations

Capital Budget available

Expenditure	0	0	0	0
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Effect of Decision from report

Expenditure	0	0	0	0
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Remaining Budget

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5.2 The effect of the decision

- 5.2.1 The total cost of implementing the disabled bays is approximately £1,000 which will be met from the revenue budget for 2015/16.

5.3 Risks

- 5.3.1 There are no risks arising from this recommendation.

5.4 Options

- 5.4.1 The alternative option in respect of the proposed disabled bays is to not introduce them.

5.5 Savings/ future efficiencies

- 5.5.1 The current method of marking parking bays is very efficient with the design and legal work undertaken within the department. The work is carried out using maintenance rates of the Highway Division's annual contractor, which are lower than if the bays were marked under separate contractual arrangements.
- 5.5.2 Any signs that are required are sourced from the Highways contractor where rates are competitive.
- 5.5.3 Approved by: Dianne Ellender, Head of Finance and Deputy Section 151 Officer.

6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

- 6.1 The Solicitor to the Council comments that Sections 6, 45, 46, 49 and 124 of Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (as amended) provides powers to introduce and implement Disabled Parking Places using Traffic Management Orders. In exercising this power, section 122 of the Act imposes a duty on the Council to have regard (so far as practicable) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The Council must also have regard to such matters as the desirability of securing and maintaining reasonable access to the premises and the effect on the amenities of any locality affected.
- 6.2 The Council have complied with the necessary requirements of the Local Authorities Traffic Order Procedure) (England and Wales) Regulations 1996 by giving the appropriate notices and receiving representations. Such representations must be considered before a final decision is made. The proposals in 3.3.1 and 3.5.1 are revised proposals and so the Council must comply with the Regulations once again by giving appropriate notices of these. The Council may proceed with introducing the disabled parking bay in Wingate Crescent without giving further Notice.
- 6.3 Approved by: Gabriel MacGregor, Head of Corporate Law on behalf of the Council Solicitor and Monitoring Officer.

7. HUMAN RESOURCES IMPACT

7.1 There are no human resources implications arising from this report.

7.2 Approved by: Adrian Prescod, HR Business Partner, for and on behalf of Director of HR, Resources department.

8. EQUALITIES IMPACT

8.1 An initial Equalities Impact Assessment (EqIA) has been carried out and it is considered that a Full EqIA is not required.

9. ENVIRONMENTAL AND CRIME & DISORDER REDUCTION IMPACTS

9.1 There are no such impacts arising from this report.

10. CRIME AND DISORDER REDUCTION IMPACT

10.1 There are no such impacts arising from this report.

11. REASONS FOR RECOMMENDATIONS

11.1 This report has carefully considered the objections received in respect of the proposals to introduce a disabled persons' parking bay in a disabled parking bay in Medway Close, Bradley Road and Wingate Crescent. Formal public notices to introduce the proposals were published on proposals were published on 18 March 2015 (for Medway Close and Wingate Crescent) and 11 February 2015 (for Bradley Road). The recommendations have been based on weighing the benefits of the proposed bays to the applicants against the inconvenience that the objectors and others might experience as a result of siting the bays at those locations.

12. OPTIONS CONSIDERED AND REJECTED

12.1 The only other options available in respect of the disabled persons' parking bays would be either to do nothing or to site the bays further away from the applicants' homes. These options were rejected because they would result in the applicants with mobility issues continuing to experience difficulty in finding a place to park on the street close to their homes.

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