

Croydon Council

For General Release

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 16 DECEMBER 2014
AGENDA ITEM:	13
SUBJECT:	OBJECTION TO PROPOSED DISABLED PARKING BAY IN CHARTHAM ROAD
LEAD OFFICER:	Jo Negrini, Executive Director of Development and Environment
CABINET MEMBER:	Councillor Kathy Bee, Cabinet Member for Transport and Environment
WARDS:	South Norwood
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 objection received to the proposal to provide a Disabled Persons' parking bay in Chartham Road, South Norwood, and the officers' recommendation in response to these.1.2 Agree for the reasons detailed in section 3 to introduce the Disabled Persons' parking bay in Chartham Road, and to delegate to the Enforcement and Infrastructure Manager, Highways & Parking Services the authority to give notice and make the necessary Traffic Management Order under the Road	

Traffic Regulation Act 1984 (as amended).

1.3 Inform the objector of the decisions.

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to enable the Committee to consider the objection received from a member of the public following the formal consultation process on the proposal to provide a disabled parking bay in Chartham Road, South Norwood. Formal public notices to introduce the proposal were published on 17 September 2014 and the public had up to 21 days to respond.
- 2.2 Officers have fully considered the objection and this report details the objection and the Officers' recommendation in response to this.

3. OBJECTIONS AND RESPONSES

- 3.1 Following public notice of the proposals to introduce disabled bays at a number of locations throughout the Borough the Council has received an objection to the proposed bay in Chartham Road. The stated grounds for the objection are outlined below, followed by the Officers' recommendation.

3.2 Objection – Chartham Road, South Norwood

An objection has been received from a local resident to a proposed disabled bay in Chartham Road. The objection is on the grounds that the bay will be partially outside the frontage of the objector's property and that its position will prevent the objector getting a disabled bay in the future. The objector suggests that the bay should go partially across a neighbouring property's frontage.

3.3 Officer's Response

The proposed disabled bay will be 6.6 metres long, as required by the regulations and this means that the entire bay cannot be accommodated outside the property of the resident for whom it was requested, as the frontage is not wide enough. The proposed position of the disabled bay is considered the best location for proximity to the applicant's home and only one metre of the bay extends across the adjacent frontage. It is not possible to extend the bay partially across the frontage of the other adjacent property to the applicant's house as that property has a driveway and the bay would cause an obstruction to the off-street access. The position of the proposed disabled bay would not prevent the objector from having a disabled bay, should they be eligible in the future.

It is therefore proposed to introduce the disabled parking bay as shown on drawing number PD - 243d.

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 allowed 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 £35k un-allocated to be utilised.

5.1 Revenue and Capital consequences of report recommendations

5.2 The effect of the decision

- 5.2.1 The total cost of implementing the disabled bays in conjunction with the remaining bays is approximately £6,000 which will be met from the revenue budget for 2014/15.

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 bay is to not introduce it.

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: Graham Oliver, Business Partner, Development and Environment.

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.
- 6.3 Approved by: Gabriel MacGregor, Head of Corporate Law on behalf of the Council Solicitor & 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 Human Resources, Chief Executive 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 objection received in respect of the proposal to introduce a disabled persons' parking bay in Chartham Road. The recommendation has been based on weighing the benefits of the proposed bay to the applicant against the inconvenience that the objector and others might experience as a result of it.

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 are 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.

REPORT AUTHOR

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BACKGROUND PAPERS –