

Croydon Council

For General Release

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 3 MARCH 2015
AGENDA ITEM:	20
SUBJECT:	OBJECTION TO PROPOSED DISABLED PARKING BAYS
LEAD OFFICER:	Jo Negrini, Executive Director of Development and Environment
CABINET MEMBER:	Councillor Kathy Bee, Cabinet Member for Transport and Environment
WARDS:	Addiscombe, Sanderstead
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:
1.1	Consider the objections received to the proposals to provide a Disabled Persons' parking bay in Leighton Gardens, South Croydon and Chisholm Road, Croydon, including officers' recommendations in response to these.
1.2	Agree for the reasons detailed in section 3, to introduce the Disabled Persons' parking bay in Leighton Gardens and Chisholm Road and to delegate to the Enforcement and Infrastructure Manager, Highways & Parking Services the authority to give notice and make the necessary Traffic Management Orders

under the Road Traffic Regulation Act 1984 (as amended).

1.3 Inform the objectors of the decisions.

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to enable the Committee to consider the objections received from members of the public following the formal consultation process on the proposals to provide a disabled parking bay in Leighton Gardens, South Croydon and Chisholm Road, Croydon. Formal public notices to introduce the proposals were published on 10 December 2014 and 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 Leighton Gardens and Chisholm Road. The stated grounds for the objections and officers' responses and recommendations are outlined in the paragraphs below.

3.2 Objection – Leighton Gardens, South Croydon

An objection has been received from a local resident to a proposed disabled bay in Leighton Gardens. The objector argues that local property owners should have been canvassed before proposing a disabled bay at the location as its presence would affect the value of their property when they come to sell. The objector suggests that the Council investigates siting the proposed bay on the opposite side of the road where properties have off-street parking space, given that it would be no further from the applicant's home than the proposed location. They added that their suggested location would be easier for the applicant to use because it is a stand-alone single parking space. The objector concluded by pointing out that there are no visibly disabled residents in this cul-de-sac end of Leighton Gardens and that the residents have for a long time been parking sensibly with other road users in mind and that siting the bay at the proposed location is inconsiderate as it would inconvenience residents closest to it.

3.3 Officers' Response

Residents of neighbouring properties to the applicant's including the objector themselves, were consulted on this proposal hence this objection. The proposed position of the disabled bay is considered the best for its proximity to the applicant's home and it is noteworthy that it is actually not directly in front of the objector's property but another resident's. Inconvenience to other drivers resulting from the location of the proposed 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 it is unoccupied.

Moreover, the need for a disabled person to park near their home is considered to be greater than that of an able bodied person. The applicant has fully met the criteria

for the provision of a disabled bay by the Council and the objector not being aware of their neighbour's disability is not relevant to the application but shows that disability is not always visible. Finally, there is no evidence that the presence of a disabled parking bay outside a property affects its value.

- 3.3.1 In view of the above, it is proposed to proceed with introducing the disabled parking bay as shown on drawing number PD - 253b.

3.4 Objections – Chisholm Road, Croydon

Two objections have been received from local residents to the proposed introduction of a disabled bay in Chisholm Road. The first objector states that converting the existing Pay & Display bay to a disabled bay would cause them significant inconvenience as they work from home and regularly load/unload heavy valuable goods from the bay, which would not be possible if the bay is reserved for disabled drivers only. They added that the nearest Pay & Display bays to them are occupied most of the time and that in any case, the applicant's property has ample off-street parking space, which means they do not need additional parking space on-street. The second objector states that parking space in the street is very limited and residents and visitors have difficulty finding a place to park. They argue that because of the parking stress it suffers, the road is unsuitable for a disabled bay and also that it is unnecessary for the applicant to have the proposed bay as they are permitted to park for free in a Pay & Display bay.

3.5 Officer's Response

The Council does not normally provide a disabled bay for an applicant with a useable parking space on their property. However, although it is correct that the applicant in this case has a useable off-street parking space, that space is normally used by his son who is also disabled driver with his own vehicle. This application had progressed on the basis that the applicant had fully met the criteria for the provision of a disabled bay by the Council. 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 it is unoccupied. Loading/unloading goods and dropping off/picking up are also permitted on yellow lines. Finally, the need for a disabled person to park near their home is considered to be greater than that of an able bodied person.

- 3.5.1 In view of the above, it is proposed to proceed with introducing the disabled parking bay as shown on drawing number PD – 253h.

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 £11k un-allocated to be utilised in 2014/2015. If all applications were approved there would remain £65k un-allocated to be utilised in 2015/2016.

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 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 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 Finance.

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 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 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 objections received in respect of the proposals to introduce a disabled persons' parking bay in Leighton Gardens and Chisholm 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.

REPORT AUTHOR

Chuks Nwaodume – Senior Traffic Engineer
Infrastructure – Parking Design, 020 8726 7100

CONTACT OFFICER:

David Wakeling, Parking Design Manager
Infrastructure – Parking Design, 020 8726 7100

BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972: