

Croydon Council

For General Release

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 7 July 2015
AGENDA ITEM:	15
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:	Purley, Thornton Heath
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: <ul style="list-style-type: none">1.1 Consider the objections received to the proposals to provide a Disabled Persons' parking bay in Sunnydene Road – Purley, Norfolk Road – Thornton Heath and Coniston Road - Addiscombe 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:-<ul style="list-style-type: none">• Coniston Road, shown in plan no. PD 274q;	

- Sunnydene Road, shown in plan no. PD-275 and
 - Norfolk Road, shown in plan no. PD 267k.
- 1.3 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).
- 1.4 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 Sunnydene Road – Purley and Norfolk Road – Thornton Heath. Formal public notices to introduce the proposals were published on 15 April 2015 (for Norfolk Road), 6 May 2015 (for Sunnydene Road) and 20 May 2015 (for Coniston 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 Sunnydene Road and Norfolk Road. The stated grounds for the objections and officers' responses and recommendations are outlined in the paragraphs below.

3.2 Objection – Coniston Road, Addiscombe

An objection has been received to the proposed disabled parking bay on Coniston Road. He is objecting on the grounds that they recently had a streetlight installed outside the house and that the proposed disabled bay will restrict his ability to park outside his home. The objector feels that his household is being targeted and discriminated against.

- 3.3 The objector says that had the proposed disabled bay been brought to his attention during the land search when purchasing the house he may not have proceeded with the purchase and is concerned about the value of the property. He feels that due to his intention to start a family he should have unrestricted access to his property as none of his neighbours appear to be prospective new parents.

- 3.4 He takes issue with the fact that the disabled person doesn't drive and feels that the proposed bay should be located elsewhere to "allow someone else to bear the brunt of the disruption it will cause".

3.5 Officers Response

Disabled bays are located as close as possible to (usually directly in front of) the applicant's home. The bay on Coniston Road extends slightly across the frontage of the objector's house. The length of the proposed bay is 6m, which is already shorter than the usual recommended length of 6.6m. The presence of a streetlight and the value of a neighbour's house are not part of the criteria for considering whether or not to grant a disabled bay.

3.6 This application was made two months after the objector purchased his home so Land Charges could not have known in advance about the proposal. The needs of the disabled applicant are considered to outweigh the needs of an able bodied person (with or without children), who can choose to park elsewhere and walk back to their home.

3.7 In view of the above, it is proposed to proceed with the disabled parking bay as shown on drawing number PD 274q.

3.8 **Objection - Sunnydene Road, Purley**

An objection has been received from a local resident to a proposed disabled bay in Sunnydene Road. 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 disabled bay is to be directly sited outside the applicant's property to minimise loss of parking.

3.9 **Officers' Response**

The disabled bay has been proposed following an application from a disabled resident. One disabled bay is provided per applicant, so the fact that a disabled bay already exists in the vicinity is not relevant when considering an application from a different resident. The existing disabled bay is valid and operational as no request to remove it has been received.

3.10 The proposed disabled bay will be 5.8 metres long, as we understand the limited space for parking in the road which is why we will not put it in at the standard 6.6 metres. Unfortunately, the small frontage of the applicant's house means that the entire bay cannot be accommodated outside the property, as the frontage is not wide enough. The proposed position of the disabled bay is considered the best location for its proximity to the applicant's home.

3.11 Therefore, it is proposed to proceed with the disabled parking bay as shown on drawing number PD-275.

3.12 **Objection – Norfolk Road, Thornton Heath**

An objection has been received from a local resident to the proposed disabled parking bay on Norfolk Road. The objector feels that the proposed bay takes up too much of their frontage and that neither her nor her son will be able to park. She also has concerns that people carrying out maintenance or deliveries would not be able to park outside and that there are already too many disabled bays on the street.

3.13 **Officers' Response**

The proposed location of the disabled bay is the closest possible position to the applicant's house. It is to be positioned directly adjacent to an existing disabled parking bay. There are currently no parking restrictions in this street, which is always very heavily parked and no resident is guaranteed a parking space outside their home. All disabled bay applications are considered independently, the presence of existing disabled bays on the street is not considered relevant to this application. The needs of the disabled applicant are considered to outweigh those of an able bodied neighbour who can choose to park elsewhere and walk back to their home.

- 3.14 It is therefore proposed to introduce the proposed disabled bay as shown on drawing number PD 267k.

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 £45k 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 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: Louise Phillips, Business Partner, Place Department.

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. No revisions to the disabled bays are proposed so the Council may proceed with introducing the disabled parking bays in Coniston Road, Norfolk Road and Sunnydene Road without giving further Notice.

6.3 Approved by: Gabriel MacGregor Head of Corporate Law on behalf of the Council Solicitor and Monitoring.

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 a disabled parking bay in Coniston Road, Sunnysdene Road and Norfolk Road. Formal public notices to introduce the proposals were published on proposals were published on 20 May 2015 (for Coniston Road) 15 April 2015 (for Norfolk Road) and 6 May 2015 (for Sunnysdene 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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BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972: