

# Croydon Council

For General Release

<b>REPORT TO:</b>	<b>TRAFFIC MANAGEMENT ADVISORY COMMITTEE</b> <b>26 April 2016</b>
<b>AGENDA ITEM:</b>	<b>24</b>
<b>SUBJECT:</b>	<b>OBJECTION TO PROPOSED DISABLED PARKING BAYS</b>
<b>LEAD OFFICER:</b>	<b>Jo Negrini, Executive Director of Place</b>
<b>CABINET MEMBER:</b>	<b>Councillor Kathy Bee, Cabinet Member for Transport and Environment</b>
<b>WARDS:</b>	<b>Shirley</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b>  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"><li>• The Croydon Plan; Transport Chapter.</li><li>• The Local Implementation Plan; 3.6 Croydon Transport policies</li><li>• Croydon's Community Strategy; Priority Areas 1, 3, 4 and 6</li><li>• Croydon Corporate Plan 2013 – 16</li><li>• <a href="http://www.croydonobservatory.org/strategies/">www.croydonobservatory.org/strategies/</a></li></ul>	
<b>FINANCIAL IMPACT:</b>  These proposals can be contained within available budget.	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.:</b> n/a	
<b>1. RECOMMENDATIONS</b>  That the Traffic Management Advisory Committee recommend to the Cabinet Member for Transport and Environment that they: <ol style="list-style-type: none"><li>1.1 Consider the objections received to the proposals to provide a Disabled Persons' parking bay in Sunnysdene Road – Purley, Norfolk Road – Thornton Heath and Coniston Road - Addiscombe including officers' recommendations in response to these.</li><li>1.2 Agree, for the reasons detailed in section 3, to introduce the Disabled Persons' parking bay in:-<ul style="list-style-type: none"><li>• Broom Gardens, shown in plan no. PD-291c</li></ul></li><li>1.3 Delegate to the Highway Improvement Manager the authority to make the necessary Traffic Management Orders under the Road Traffic Regulation Act</li></ol>	

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 Broom Gardens – Shirley. Formal public notices to introduce the proposals were published on 10 February 2016 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' recommendations in response to these.

## **3. OBJECTION AND RESPONSE**

3.1 Following a public notice of the proposals to introduce this disabled bay, an objection has been received to the proposed disabled bay in Broom Gardens. The stated grounds for the objection and the officers' response and recommendations are outlined in the paragraphs below.

### **3.2 Objection – Broom Gardens, Shirley**

An objection has been received from a resident of Broom Gardens to the proposed disabled parking bay outside 3 Broom Gardens. The objector states that the applicant is not entitled to a disabled parking bay as he does not appear to have any visual disability and that the applicant does not reside at 3 Broom Gardens.

### **3.3 Officers' Response**

The Council has 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. The bay is also sited in the most convenient location for the disabled applicant minimising the distance between their home and the bay.

3.4 In view of the above, it is proposed to proceed with the disabled parking bay as shown on drawing number PD-291c.

#### 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 £62k un-allocated to be utilised in 2016/2017 this is taking into account £13k that was committed in 2015/2106 against the 2016/2107 financial years spend.

##### 5.1 Revenue and Capital consequences of report recommendations

Current Financial Year	M.T.F.S – 3 year Forecast			
	2016/17	2017/18	20018/19	2019/20
	£'000	£'000	£'000	£'000
<b><u>Revenue Budget available</u></b>				
Expenditure	100	100	100	100
Income	0	0	0	0
<b><u>Effect of Decision from Report</u></b>				
Expenditure	1	0	0	0
Income	0	0	0	0
<b>Remaining Budget</b>	<b>99</b>	<b>100</b>	<b>100</b>	<b>100</b>

**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**

0	0	0	0
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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 2016/17.

**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 Lynch, 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 bay are proposed so the Council may proceed with introducing the disabled parking bay in Broom Gardens without giving further Notice.

6.3 Approved by: Gabriel MacGregor, Acting Council Solicitor and Acting 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 a disabled parking bay in Broom Gardens. Formal public notices to introduce the proposal were published on 10 February 2016. 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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### **REPORT AUTHOR**

Paul Tarrant – Traffic Engineer  
Highway Improvement, 020 8726 7100

### **CONTACT OFFICER:**

David Wakeling, Parking Design Manager  
Highway Improvement, 020 8726 7100

### **BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972:**