

Meeting of:	Cabinet
Date of Meeting:	Monday, 16 November 2020
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	Objection Report: Morel Street, Barry - Proposed Disabled Persons Parking Place Traffic Regulation Order
Purpose of Report:	To advise Cabinet of an objection received and to propose an appropriate way forward.
Report Owner:	Report of the Cabinet Member for Neighbourhood Services and Transport
Responsible Officer:	Miles Punter - Director of Environment and Housing
Elected Member and Officer Consultation:	Accountant Environment and Housing Services Legal Services (Committee Reports) Head of Neighbourhood Services and Transport Ward Members: Councillor Brooks Councillor Perkes
Policy Framework:	This report is a matter for Executive Decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> • Morel Street, Barry is a terraced residential street which suffers from extraneous parking. Site observations have confirmed this problem. • An application was received for an individual disabled persons parking place to be situated on Morel Street, due to the difficulties in parking. • Consequently, the Council approved the application and is promoting a scheme to provide a disabled persons parking place directly outside of the applicant's property. • The statutory legal consultation began on the 16th July 2020 and concluded on the 7th August 2020, resulting in a formal objection to the proposal. • Further details relating to the objection are contained in Part II of this report. 	

- Cabinet is required to consider the objection and decide whether the disabled persons parking place is implemented, having regard to the detail contained in this report and also on the report presented under Part II of this agenda.

Recommendation

1. That Cabinet consider the information contained within this report alongside that included in the Part II report so that a decision on this matter can be taken under Part II of this Cabinet agenda.

Reason for Recommendation

1. To enable the report to be considered alongside the report under Part II on this agenda.

1. Background

- 1.1 Morel Street, Barry is a terraced residential street which suffers from extraneous parking due to being situated within close proximity to Barry town centre.
- 1.2 Furthermore, due to multi-vehicle ownership by the residents of the street, this adds to the very high demand for parking at this location.
- 1.3 A disabled resident of Morel Street has applied for a disabled persons parking place. The applicant met the criteria contained within Council Policy and is a disabled Blue Badge holder.
- 1.4 The Council visited the location at various times of the day, evening and weekend to assess the parking levels and on every occasion the street was fully occupied with parked vehicles.
- 1.5 There are a further three disabled persons parking places on Morel Street, which have been installed for many years.
- 1.6 On the 9th June 2020, the Cabinet Member for Neighbourhood Services and Transport and the Head of Neighbourhood Services and Transport gave approval to give public notice of a proposal to introduce an additional disabled persons parking place in Morel Street, Barry.
- 1.7 The statutory legal public notice of the proposal was given on the 16th July 2020, inviting objections in writing, by the 7th August 2020 containing the grounds upon which any objection was being made.

2. Key Issues for Consideration

- 2.1 During the consultation period one objection was received. The concerns have been summarised with responses below. Greater detail is provided under Part II of this agenda.

Concern 1:

- 2.2 There are already 3 disabled parking bays.

Officer response 1:

- 2.3 Council Policy does not contain any restriction to the number of disabled persons parking places that may be installed in one individual street.
- 2.4 The existing three disabled persons parking places have been installed for many years.

Concern 2:

- 2.5 The bays are not private parking places reserved solely for the residents of those houses, they are available to any blue badge holder displaying the correct paperwork. One of the existing bays is not currently being used as the disabled person who lived there sadly passed away more than 18 months ago but the bay was never removed as the Council had no funds to remove it. Perhaps that could be pointed out to applicant of the proposed new disabled bay.

Officer response 2:

- 2.6 When a disabled persons parking place is installed outside a residential property it is not reserved solely for the resident of that property, it is for the use of any Disabled Blue Badge holder.
- 2.7 One of the three existing bays is currently unused due to the death of the original disabled applicant. However, the partner of the deceased has applied for a Disabled Blue Badge so they may utilise the bay.
- 2.8 The applicant is aware of the temporary available disabled bay and utilises it when it is available. However, the applicant has difficulty walking to this existing disabled bay.

Concern 3:

- 2.9 If the existing disabled bay remain that would be 4 bays in the street.

Officer response 3:

- 2.10 As stated above, Council Policy does not contain any restriction to the number of disabled persons parking places in one individual street.

Concern 4:

- 2.11** None of the disabled persons using these bays are not wheelchair bound and I object to them needing a parking bay directly outside their homes. When there are 3 bays within a distance of 20 metres.

Officer response 4:

- 2.12** Council Policy states that if the applicant has been approved for a Disabled Blue Badge then they meet the criteria to obtain a disabled persons parking place.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The introduction of the disabled persons parking place in Morel Street will assist in protecting the local environment by mitigating localised parking congestion and assisting to reduce emissions.
- 3.2** The effective management of the Council's local highway network contributes towards the prevention agenda by assisting in improving accessibility, road safety and air quality thereby preventing or reducing risk of harm to residents in the local community and providing a wider beneficial impact to the environment.
- 3.3** The measures taken to manage the local highway network should also assist in preventing unnecessary environmental harm and highway safety issues from escalating due to poor inappropriate road usage.
- 3.4** The process of developing this scheme has involved communication with the local community and other stakeholders via public notice and press advert thereby contributing and delivering on the involvement agenda.
- 3.5** The Well-being objectives identified above contribute towards health and well-being of all members of society and playing a fundamental role protecting and enhancing the natural and built environment.

4. Resources and Legal Considerations

Financial

- 4.1** The cost of the Order and implementing the scheme is estimated to be in the region of £2500, which will be funded from the Traffic Management Operational Budget.
- 4.2** The Council's own administrative resources will be used to progress the legal Order, should approval be given to overrule the objection.

Employment

- 4.3 Progression of the Traffic Regulation Order will be carried out by the Traffic Management team within Neighbourhood Services and Transport and the Legal Department.
- 4.4 The implementation of road markings and sign works on site will be managed and undertaken by the Council's own in-house resource.

Legal (Including Equalities)

- 4.5 There are no Human Rights implications with regard to this report.
- 4.6 The Council, as Highway Authority has a responsibility to ensure the safety of the highway user and may be found negligent if it does not meet its statutory obligations under the Road Traffic Regulation Act 1984 and the Road Traffic Act 1988.

5. Background Papers

None.