

ED2. EXECUTIVE DECISIONS BY A CABINET MEMBER OR AN OFFICER

A. Report Title: Auckland Close, Tilbury objection to a disabled persons parking place.	
B. Report Author(s): Susan Morrison	Tel: 01375 413367 E-mail: smorrison@thurrock.gov.uk
C. Decision Maker: Andrew Millard	
D. Position held: Head of Planning & Transportation	
E. Key decision: NO	F. Delegation ref:
G. Is the decision urgent? NO	
H. If yes, state why.	

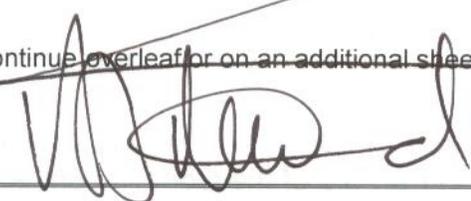
I. **DECISION** (strike out whichever does not apply) :

1. I agree the recommendations in the attached report for the reasons given in the report; **OR**

~~2. *My decision is:~~

~~*The reason for my decision is:~~

~~* Continue overleaf or on an additional sheet if necessary.~~

Signed:  Date: 6.1.11

URGENCY

Democratic Services will arrange for the completion of the following:

J. I confirm that in my opinion a decision on this matter is urgent and cannot reasonably be delayed:

Signed: _____ Date: _____

To be completed by Democratic Services

Date decision received by Dem. Services:	Date decision published:
Implementation date:	

November 2010		ITEM
Delegated Decision Report		
AUCKLAND CLOSE, TILBURY OBJECTION TO A DISABLED PERSONS PARKING PLACE		
Portfolio Holder: Councillor Yash Gupta - Environment		
Wards and communities affected: Tilbury Riverside and Thurrock Park Ward	Key Decision: No	
Accountable Head of Service: Andrew Millard, Head of Planning and Transportation		
Accountable Director: Bill Newman, Corporate Director of Sustainable Communities		
This report is Public		
Purpose of Report: To consider an objection to a proposal to implement a disabled persons parking place in Auckland Close, Tilbury.		

EXECUTIVE SUMMARY

One objection has been received to a proposal to implement a disabled persons parking place in Auckland Close, Tilbury.

The proposal was made as a result of a request from Occupational Therapy to implement a disabled persons parking place.

1. RECOMMENDATIONS:

1.1 It is recommended that the objection to the proposed disabled bay is over-ruled and that the disabled bay is implemented as advertised.

2. INTRODUCTION AND BACKGROUND:

2.1 Funding was allocated within the 2010/11 Integrated Transport Programme to implement disabled persons parking places at various sites around the borough where requests have been received from the Occupational Therapy department following an assessment of the service user.

The consultation on the proposal was carried out between 27th August 2010 and 17th September 2010. 1 objection was received, from a resident of Auckland Close, Tilbury.

3. ISSUES AND/OR OPTIONS:

- 3.1 Requests for disabled parking bays are received from the Occupational Therapy team, where an applicant has successfully met the criteria for a bay to be provided. The Traffic Team then carry out an assessment based on the property and highway layout. Should the highway criteria be met a Traffic Regulation Order (TRO) is drafted and statutory consultation carried out.
- 3.2 A suggestion from the objector was to create further parking on the grass verge opposite 5-17 Auckland Close. This area of land does not form part of the adopted highway.
- 3.3 The cost of implementing the disabled person parking place as recommended will be approximately £1050 and will be funded from the Capital Disabled Parking allocation code E1843 9881 T3429.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

Ward Members were consulted on the content of this report between 21st December 2010 and 5th January 2011. No responses were received.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 5.1 These actions accord with the Council priorities to create a safer environment.

6. IMPLICATIONS

6.1 Financial

Implications verified by: Meinir Hall
 Telephone and email: 01375 652147
 mhall@thurrock.gov.uk

Should the disabled persons parking place be implemented as recommended, the cost will be approximately £1050 which will be funded from the Capital Disabled Parking code E1843 9881 T3429 from the 2010/2011 Integrated Transport Programme.

6.2 Legal

Implications verified by: Alison Stuart
 Telephone and email: 01375 652040
 astuart@thurrock.gov.uk

At a general level, it is important to ensure that delegated decisions are taken by the appropriate officer, and that the origin of the delegation can be readily identified in case of future challenge.

In this instance, should a disabled persons parking bay be carried forward to implementation, they would be subject to the making of a Traffic Regulation Order (TRO). Under the provision of the Road Traffic Regulation Act 1984, local authorities can implement TROs, designed to regulate, restrict or prohibit the use of a road or any part of the width of a road by vehicular traffic or pedestrians. A TRO may take effect at all times or during specified periods, and certain classes of traffic may be exempted from a TRO.

Permanent TROs are subject to the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, which impose various legal requirements prior to the making of an order. These requirements include publishing a notice of the proposals in a local newspaper and allowing potential objectors 21 days to make representations. It is incumbent on the Council to take account of any representations made as a consequence of such an advertisement.

6.3 **Diversity and Equality**

Implications verified by: Samson DeAlyn
 Telephone and email: 01375 652472
 sdealyn@thurrock.gov.uk

The Equality Act 2010 places an obligation on the Council to make reasonable adjustments for disabled residents. The provision of a disabled parking bay would be regarded as making such an adjustment. The statutory requirement should be given due consideration in making such a decision.

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None

7. **CONCLUSION**

7.1 It is recommended that following consideration of the objection, the proposed disabled bay is implemented as advertised.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Objection

APPENDICES TO THIS REPORT:

- None

Report Author Contact Details:

Name: Susan Morrison

Telephone: 01375 413367

E-mail: smorrison@thurrock.gov.uk