

April 2011		
Delegated Decision Report		
BENSON ROAD, GRAYS – OBJECTION TO A PROPOSAL TO REMOVE A DISABLED BAY		
Portfolio Holder: Councillor Val Morris-Cook - Environment		
Wards and communities affected: Grays Thurrock 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 remove a disabled parking bay from outside 34 Benson Road, Grays.		

EXECUTIVE SUMMARY

The proposal to remove the disabled parking bay from outside 34 Benson Road was made due to information being received from a member of public that the bay was no longer required.

The statutory consultation on the proposal to remove the bay was carried out in February 2011. One objection was received to the proposal by a blue badge holder who regularly uses the bay.

1. RECOMMENDATIONS:

- 1.1 It is recommended that the objection to remove the disabled bay is upheld and that the bay is not removed.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 Funding is allocated within the annual Integrated Transport Programme to process applications for the implementation and removal of disabled persons**

parking places at various sites around the borough where requests have been received from the Occupational Therapy department of Social Services.

Following the receipt of information from a member of public that the bay in front of 34 Benson Road is no longer required, a letter was sent to the occupier of number 34 requesting confirmation that the bay was no longer needed. No response was received. The statutory consultation for its removal therefore commenced on 4th February 2011 and ended on 24th February 2011. 1 objection was received from a resident of Benson Road, Grays who is a blue badge holder and regularly uses of the bay.

3. ISSUES AND/OR OPTIONS:

- 3.1 Disabled parking bays are usually provided following a medical assessment of a resident requesting a bay. The medical assessment is carried out by Social Services. If the application is supported by the Occupational Therapist and the site meets the highway requirements/policy, the request is carried forward for implementation.
- 3.2 Usually, upon notification that a bay is no longer required the bay is removed. When a bay is removed, the Traffic Regulation Order must be revoked and the same legal process applies for removal as for the implementation of a new bay.
- 3.3 The objector requested that the bay is not removed as it is used on a daily basis by other residents and visitors of Benson Road holding a blue badge.
- 3.4 As no response or comment has been received from the resident of number 34 Benson Road, it is assumed that they have no objection to it remaining.

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

Ward Members were consulted on the content of this report between 8th July 2011 and 18th July 2011. Cllr Y Gupta agrees with the recommendations as per paragraph 1.1. No other comments 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 recommendations be upheld, there will be no financial implications to consider. Should the recommendations not be upheld and the decision is taken to remove the bay, the cost of revoking the Traffic Regulation Order and removing the bay would be approximately £800.

6.2 **Legal**

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

It is important to ensure the correct procedures are followed. There are no legal implications other than those already contained within the report.

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. Should the recommendations be upheld, the disabled parking bay will be available for use by any blue badge holder.

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 disabled bay is not removed.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Letter of objection

APPENDICES TO THIS REPORT:

- None

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