

September 2014		ITEM
Delegated Decision Report		
VARIOUS ROADS, DISABLED BAYS – OBJECTIONS TO PROPOSALS TO IMPLEMENT DISABLED BAYS		
Portfolio Holder: Councillor P Smith – Public Protection		
Wards and communities affected: Chadwell St Mary Ward and Stanford East and Corringham Ward	Key Decision: No	
Accountable Head of Service: Ann Osola, Head of Transportation and Highways		
Accountable Director: David Bull, Director of Planning and Transportation		
This report is Public		
Purpose of Report: To consider objections to a proposal to implement disabled bays in Various Road, Grays/Chadwell St Mary and Stanford Le Hope.		

EXECUTIVE SUMMARY

Occupational Therapy carry out assessments for Disabled Bays to be implemented, all successful applications are sent to Traffic for a Highways Assessment to be carried out, if suitable the application is progressed. The following locations were advertised on the same Public Notice; 12 Charlton Street, 36 South View Road, Grays, 12 Salisbury Road, Grays, 112 Longhouse Road, Chadwell St Mary and 7 St James Avenue East, Stanford Le Hope. Objections were received for Longhouse Road and St James Avenue East.

1. RECOMMENDATIONS:

- 1.1 It is recommended that following consideration of the objection to Longhouse Road that the objection is not upheld and the Disabled Bay is implemented as advertised.**
- 1.2 It is recommended that following consideration of the objection to St James Avenue East that the objection is not upheld and the Disabled Bay is implemented as advertised.**
- 1.3 It is further recommended that the objectors are notified accordingly.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 Funding has been made available within the Integrated Transport Programme to implement Disabled Bays at various sites around the borough where applications have been received from Occupation Therapy where the need for a Disabled Bay has been identified.
- 2.2 A request to implement Disabled Bays for 112 Longhouse Road, Chadwell St Mary and 7 St James Avenue East, Stanford Le Hope to help assist disabled residents. The statutory consultation for the Disabled Bays was carried out between 6th June 2014 and 27th June 2014.
- 2.3 1 Objection was received to the proposed disabled bay outside 112 Longhouse Road, Chadwell St Mary as the resident feels that this would inconvenience them too much.
- 2.4 1 Objection was received to the proposed disabled bay outside 7 St James Avenue East, Stanford Le Hope as the resident feels that this would inconvenience them too much.
- 2.5 Also on the public notice was a proposal to implement Disabled Bays for 12 Charlton Street, 36 South View Road, Grays, 12 Salisbury Road, Grays, no objections were received to these proposal therefore these Disabled Bays will be implemented as proposed.

3. ISSUES AND/OR OPTIONS:

- 3.1 The nature of both objections is that the residents feel that the disabled bays would inconvenience other residents as their visitors would not have anywhere to park and that parking is already at a minimum.
- 3.2 The resident of Longhouse Road also feels that the disabled bay should not be implemented as the disabled resident has an enclosed parking facility at the rear of the property. Occupational Therapy has assessed the property and the current parking is deemed inappropriate, therefore the need for parking within the vicinity of the property is necessary.
- 3.3 As the request came from Occupational Therapy and their criteria was met and also the criteria for the Highway Assessment was met it is felt that the Disabled Bays should be implemented as proposed.
- 3.4 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 parking restrictions 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 TRO's, 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 TRO's 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, display of notices in roads or other places affected by the order; or the delivery of notices or letters to premises, or premises occupied by persons, appearing to the authority to be likely affected by any provision in the order 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.

- 3.5 Should the disabled bays be implemented as recommended, the cost will be approximately £1500 and would be funded from the Disabled Parking code E1843 9881 T3429. There is sufficient funding available for these projects.
- 3.6 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.

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

Ward Members were consulted on the content of this report between 26th September 2014 and 3rd October 2014. Cllr P G Smith supports the recommendations. No other comments were received during this period.

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: Mark Terry
 Telephone and email: 01375 652150 mterry@thurrock.gov.uk

Financial implications are included in the body of the report.

6.2 Legal

Implications verified by: Alison Stuart
 Telephone and email: 01375 652 040

Legal implications are included in the body of the report.

6.3 **Diversity and Equality**

Implications verified by: Rebecca Price, Community Development Officer
Telephone and email: 01375 652930 reprice@thurrock.gov.uk

Diversity implications are included in the body of the report and in Section 3.6 specifically.

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

None

7. CONCLUSION

7.1

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Letters of objections

APPENDICES TO THIS REPORT:

- None

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