

**Dudley Metropolitan Borough Council Central Dudley Area Committee -  
14<sup>th</sup> March 2006**

**Report of the Director of The Urban Environment**

**Objection to disabled parking place programme J**

**Purpose**

1. The purpose of this report is to inform committee of the objections received to applications in their area for disabled parking places in programme J of the on-street disabled parking places scheme.

**Background**

2. Traffic Regulation Orders for the establishment of parking places near the homes of registered disabled persons are introduced approximately twice every year.
3. These reserved spaces are provided for named individuals who do not have off street parking facilities and whose level of disablement qualifies them for registration as Blue Badge holders. One permit is issued for each parking place, which is marked out on the carriageway as a 'white box'.
4. In the six month period upto July 2005, 41 applications in total were received, 14 of which are in your committees area.
5. In order to speed up the process for applicants, in June 2003, the Cabinet Member for Transportation agreed that sites which were not objected to, could be implemented without reporting to area committee, subject to prior consultation with Ward Members. Consultation was duly carried out as detailed in paragraph 12 and no objections from members were received.
6. Applications which are not objected to are now implemented as a separate Order in part via decision memo, negating the need to pass through the Committee process and thereby speeding up the implementation of unopposed applications by several months. Only applications which receive objections therefore, are reported to area committees.

7. Of the 14 applications in your committee's area, 3 objections have been received to the application for 28 Montgomery Crescent and 4 objections have been received to the application for 9 Bournebrook Close.
8. Montgomery Crescent is a square-headed cul-de-sac where parking is very tight for the residents, some of the residents are elderly and have lived there for many years, in one case over 50 years. All the objectors have expressed concern over the positioning of the space. Should the space be granted, there is an obvious need for careful positioning in this very difficult location and it is recommended that, with the agreement of all the residents concerned, the Council Community mediation service is used to facilitate discussions about the parking issues and hopefully reach agreement on the positioning and use of the space. The Community Mediation service is a free service and meetings can be arranged quickly once all parties agree to attend.
9. In respect of the application for 9 Bournebrook Close all four objectors refer to the fact that the applicant has the use of a remote garage which is approximately 400 yards from the applicant's house. All four objectors have witnessed the applicant using his garage several times a day. The objectors also state that the applicant seldom parks outside his house and the space would therefore be empty for a large proportion of the time, adding to the parking difficulties for other residents. It is therefore recommended that the objections are upheld.
10. Letters regarding the applications were sent to the Police on 8<sup>th</sup> November 2005 a reply was received on the 17<sup>th</sup> November 2005. No objections were received.
11. The proposals were published in the "Express and Star" newspaper on 22<sup>nd</sup> December 2005 and also on street between 22<sup>nd</sup> December 2005 and 16<sup>th</sup> January 2006. The objections are reported in paragraphs 7,8 and 9.
12. Members were consulted by letter on 2<sup>nd</sup> November 2005 and no objections were received.
13. The introduction of on street disabled parking assists registered disabled persons to park near their homes and to live in the community.

## **Finance**

14. Implementation of on street disabled parking places orders is estimated at £500 each and, subject to funding being made available, would be funded from the highways capital budget.

## Law

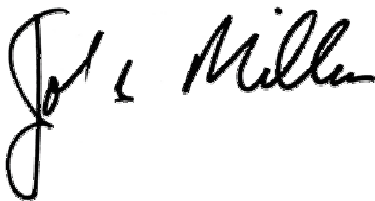
15. On street parking places reserved for permit holders are made under Section 45 (2) of the Road Traffic Regulations Act 1984.
16. Orders in part are made under the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

## Equality Impact

17. The proposals contained in this report are intended to benefit registered disabled persons. They comply with the Councils Equal Opportunities Policy.

## Recommendation

18. It is proposed that the Cabinet Member for Transportation be advised that the objections to 28 Montgomery Crescent should only be over ruled if agreement on a location can be reached through mediation.
19. It is proposed that the Cabinet Member for Transportation be advised that the objections to 9 Bournebrook Close be upheld and the application should not succeed.



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## **List of Background Papers:-**

8/11/2005 Letters to Police  
22/12/2005 Notices of advertised proposals  
2/11/2005 Letter to Members