

Brierley Hill Area Committee - 1st September 2005

Report of the Director of the Urban Environment

Objection to disabled parking place programme H

Purpose of Report

1. The purpose of this report is to inform committee of the objection received to an application in their area for a disabled parking place in programme H 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 up to January 2005, 31 applications in total were received, 8 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 9 and no objections from members were received.
6. Programme H is the first programme where the unopposed applications will be made as an 'order in part'. This means that those applications which are not objected to can be implemented as a separate order via decision memo, negating the need to pass through the committee process and thereby speeding up the implementation of unopposed applications by several months. For this programme (programme H) and future programmes, therefore, only applications which receive objections will be reported to area committees.
7. Of the 8 applications in your committees area, 1 objection has been received to the application for 87 Nanaimo Way. The complainant is an immediate neighbour who is frustrated because although paying for a drive to be built and kerbs to be dropped, often cannot use the drive because of neighbours cars overhanging the driveway. The complainant is also registered disabled. The letter says "I do not object to the disabled space as long as he does not expect to park a second car as well because I am sick of asking them to move their cars".
8. The applicant is a Blue Badge holder and meets the criteria for the scheme. However, they will only be able to park one car in the space and will receive one permit for that space. It is therefore recommended that the 'objection' (which isn't

an objection as such) is overruled, subject to careful positioning on site to ensure the complainant can properly access their driveway.

9. Letters regarding the applications were sent to the Police on 23rd March 2005, replies were received on the 6th April 2005 (Police South) and the 21st April 2005 (Police North). No objections were received.
10. The proposals were published in the "Express and Star" newspaper on 31st May 2005 and also on street between 31st May and 24th June 2005. The single objection is reported in paragraphs 7 and 8.
11. Members were consulted by letter on 23rd March 2005 and no objections were received.
12. The introduction of on street disabled parking assists registered disabled persons to park near their homes and to live in the community.

Finance

13. 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

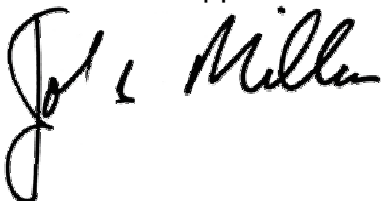
14. On street parking places reserved for permit holders are made under Section 45 (2) of the Road Traffic Regulations Act 1984.
15. Orders in part are made under the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

Equality Impact

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

Recommendation

17. It is proposed that the Cabinet Member for Transportation be advised that the 'objection' to 87 Nanaimo Way be overruled subject to careful placing on site, and the application is introduced as advertised.



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Director of the Urban Environment

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List of Background Papers

23/3/2005 Letters to Police

31/5/2005 Notices of advertised proposals

23/3/2005 Letter to Members