

Report for: Record of Decision Taken Under Delegated Authority

Item number:

Title: To report on the Statutory Consultation carried out in June and July 2018 for the introduction, removal or relocating of Disabled Bays contained in Batch 9.

Report authorised by: Head of Operations: Ann Cunningham *Ann Cunningham*
Cabinet Member for Environment: Councillor Hearn

N/A

Lead Officer: Daniel Nye, Level 1 (South), River Park House, 225 High Road, Wood Green, N22 8HQ
Daniel.nye@haringey.gov.uk

Ward(s) affected: Borough wide

Report for Key/
Non Key Decision: Non key decision

1.0 Purpose

1.1 To report the representations received during statutory consultation carried out in June and July 2018 for the proposed introduction of disabled bays on the roads listed below:

- 5/7 Birstall Road N15
- 10 Elgin Road N22
- 9 Hillfield Avenue N8
- 1 Ladysmith Road N17
- 32 Nightingale Lane N8
- Flat 1c 28 Pellat Grove N22
- 49 Riseley Avenue N17
- 29 Rostrevor Avenue N15
- 15 Selby Road N15
- 69 Stirling Road N22
- 86/88 Thackeray Avenue N17
- 123 Thackeray Avenue N17
- 25 Vallance Road N22
- Opposite 24 Vicarage Road N17
- Opposite Nos 1 to 12 Winkley Court, St James Lane N10
- 37 Woodstock Road N4

- 10 Hewitt Road N8
- 105 Hewitt Avenue N22
- 139 Higham Road N17
- 123 Lothair Road N4
- 155 Maryland Road N22
- 174 Maryland Road N22
- 9 Rutland Gardens N4
- 25 Sandringham Road N22
- 37 Seymour Road N8
- 35 Sidney Road N22
- 1 Spencer Road N17
- 6 Umfreville Road N4
- 5 Waldeck Road N15
- 25 Waltheoff Avenue N17
- 8 Warkworth Road N17
- 196 Whittington Road N22
- 9 Woodland Rise N10

1.3 To report the representations received during statutory consultation carried out in June and July 2018 for the proposed extension of existing disabled bays on the roads listed below.

- None on this batch

1.4 To seek approval to proceed with the recommendations as set out in section 8.0 of this report.

2.0 Background

2.1 The criteria required for the implementation of a disabled bay is as follows:

- You must have a blue badge
- You or your nominated driver must have a car registered at the address where the bay is to be provided
- You or your nominated driver's licence must be registered at the address where the bay is to be provided
- You must be in receipt of the higher rate mobility component of Disability Living Allowance for the over 65s or the enhanced mobility component of the Personal Independence Payment for 16 to 64 year olds

- 2.2** We currently have 16 applications requesting the provision of a disabled bay. Since responsibility for disabled bays was transferred to the Traffic Management team in 2013 we have endeavoured to process a new batch of applications every 4 months.
- 2.3** We have been informed by residents, relatives or neighbours that the disabled bays referred to in section 1.2 are no longer required. A Notice of Proposal informing the public of our intention to remove potentially redundant bay is placed on site and any objections received are considered before a decision is taken.
- 2.4** We currently have sufficient funds in our 2017/18 budget to enable us to install or remove these disabled bays.

3.0 Proposals

- 3.1** We are proposing the introduction of disabled bays at 16 locations, as listed in paragraph 1.1 of this report.
- 3.2** We are proposing the removal of 33 redundant disabled bays, as listed in paragraph 1.2 of this report.

4.0 Environmental Implications

- 4.1** Before reaching a decision to make the necessary Traffic Management Order to implement or amend parking controls, the Council must follow the statutory consultation procedures pursuant to the Road Traffic Regulation Act 1984 (“RTRA”) (as amended) and the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended). All representations received must be properly considered in the light of administrative law principles, Human Rights and equalities law and the relevant statutory powers.
- 4.2** The Council’s powers to make Traffic Management Orders arise mainly under sections 6, 9, 45, 46, 122 and 124 and schedules 1 paragraph 8 and 9 of the RTRA.
- 4.3** The power of a local authority to make an order regulating or controlling vehicular and other traffic is contained within the ambit of section 6(1) of the 1984 Act. The power to make an experimental traffic order is contained in section 9 of the same Act. Experimental traffic orders generally have a lifespan of 18 months. During the initial 6 month period the council will register representations received and consider and implement where possible these requests during the second 6 month period, these amendments have a further 6 month period before being considered to be made permanent.

- 4.4** When determining what paying parking places are to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties. In particular, the Council must have regard to: (a) the need for maintaining the free movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway.
- 4.5** By virtue of section 122, the Council must exercise its powers under the RTRA so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters:-
- (a) The desirability of securing and maintaining reasonable access to premises.
 - (b) The effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
 - (c) The national air quality strategy.
 - (d) Facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.

5.0 Equalities comments

- 5.1** S149 (4) of the Equality Act 2010 stresses the public sector equality duty strongly in respect of disabled persons and extends the meaning of 'due regard' to include the steps involved in meeting the needs of disabled persons in particular "steps to take account of disabled persons' disabilities" even if it would mean treating disabled persons more favourably than persons who do not have a disability.

The proposal to recommend the introduction of disabled parking bays at various locations in the borough is a necessary step that recognises and takes account of the parking needs of Haringey's disabled residents even if it appears to be a more favourable treatment on grounds of their disability.

It accords completely with meeting the Council's public sector equality duty in regard to the protected characteristic of disability.

6.0 Statutory Notification

- 6.1** Statutory notification commenced on 29 June 2018 for a period of 21 days. The process consisted of a Notice of Intention published in the London Gazette, local press and erected on site in the affected streets. The closing dates for representations and comments was 20 July 2018.

7.0 Statutory Notification Feedback

- 7.1** The council received 1 objection to these proposals.

Objection to removal of bay – 8 Warkworth Road N17

Comment Received.

My disable bay is up for removal could someone please explain why. I am still living at the address and is still register disabled.

Councils response:

We have proposed to remove this bay in response to a request from a member of the public stating the bay was un-used.

The Council has considered this objection and will leave the bay at 8 Warkworth Road in place.

8.0 Recommendations

- 8.1** To note the representations as set out in section 7 and approve the officers recommended action.
- 8.2** Approve the introduction of disabled bays as listed in section 1.1
- 8.3** Approve the removal of disabled bays as listed in section 1.2 except for the Bay at 8 Warkworth Road N17, which will remain in place.
- 8.4** Approve that Residents be informed of this decision.

**PUBLIC NOTICE – HARINGEY COUNCIL
PROPOSED DISABLED PERSONS PARKING PLACES, AND PROPOSED AMENDMENTS TO,
AND REMOVAL OF, EXISTING DISABLED PARKING PLACES – VARIOUS ROADS**

**THE HARINGEY (FREE PARKING PLACES) (DISABLED PERSONS) (SPECIAL PARKING AREA)
(AMENDMENT NO *) ORDER 201*
AND VARIOUS CONTROLLED PARKING ZONE AMENDMENT ORDERS**

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1. NOTICE IS HEREBY GIVEN that the Council of the London Borough of Haringey proposes to make the above mentioned Orders under sections 6, 45, 46, 49 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended, and introduce footway parking places, exempted under the GLC General Powers Act 1974.
2. The general effect of the Orders would be to: -
 - (i) introduce new disabled persons' parking places, at a maximum of 6.6 metres in length, in which vehicles displaying a valid disabled persons' 'blue badge' would be permitted to park, (unless otherwise stated) either outside of, or alongside, the following properties: -

5/7 Birstall Road N15, Flat 1 Campsfield House Campsfield Road N8, 10 Elgin Road N22, 9, Hillfield Avenue N8, 1 Ladysmith Road N17, 32 Nightingale Lane N8, Flat 1C 28 Pellat Grove N22, 49 Riseley Avenue N17, 29 Rostrevor Avenue N15, 15, Selby Road N17, 69 Stirling Road N22, 86/88 Thackeray Avenue N17, 123 Thackeray Avenue N17, 25 Vallance Road N22, Opposite 24 Vicarage Road N17, Opposite Nos. 1 to 12 Winkley Court, St James Lane N10, 37 Woodstock Road N4.
 - (ii) remove disabled parking bays outside (unless otherwise stated) of the following properties: -

26 Acacia Road N22, 20 Beresford Road N8, 60 Blake Road N11, 108 Blake Road N11, 16 Claremont Road N6, 39 Creighton Avenue N10, 3 Crossfield Road N17, 30 Crowland Road N15, 62 Dukes Avenue N10, Outside the old police station, Fortis Green Avenue N2, 30 Fryatt Road N17, 34 Fryatt Road N17, 37 Fryatt Road N17, 116 Grosvenor Road N10, 31 Haselmere Road N8, 51 Hawthorn Road N8, 10 Hewitt Road N10, 105 Hewitt Avenue N22, 139 Higham Road N17, 123 Lothair Road N4, 155 Maryland Road N22, 174 Maryland Road N22, 9 Rutland Gardens N4, 25 Sandringham Road N22, 37 Seymour Road N8, 35 Sidney Road N22, 1 Spencer Road N17, 6 Umfreville Road N4, 5 Waldeck Road N15, 25 Waltheoff Avenue N17, 8 Warkworth Road N17, 196 Whittington Road N22, 9 Woodland Rise N10.
3. Copies of the proposed Orders, and of the Council's statement of reasons for making the Orders, and plans showing the locations and effects of the Orders may be inspected during normal office working hours until the end of a period of 6 weeks from the date on which the Orders were made or the Council decides not to make the Orders, at the reception desk, Alexandra House, 10 Station Road, Wood Green, N22 7TR or can be viewed online at www.haringey.gov.uk/traffic_orders.
4. Any person desiring to object to the proposed Orders or make other representation should send a statement in writing of either their objection and the grounds thereof or of their representation to the Traffic Management Group, River Park House, 1st floor, 225, High Road, Wood Green, N22 8HQ or to traffic.orders@haringey.gov.uk within 21 days from the date of this Notice.

Dated 29th June 2018

Ann Cunningham,
Head of Operations