

Report for: Head of Service for Highways and Parking in consultation with
Cabinet Member for Tackling Inequality and Resident Services

Title: Disabled Bay Batch DPB-2023-04

Report authorised by: Simi Shah, Group Engineer for Traffic and Parking

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Ward(s) affected: Tottenham Hale, Highgate, White Hart Lane, Hornsey, West Green, Muswell Hill, Hermitage & Gardens, Fortis Green, Northumberland Park, Tottenham Central, Harringay, South Tottenham, Seven Sisters, Noel Park, Crouch End.

**Report for Key/
Non-Key Decision:** Non-Key decision

1 Describe the issue under consideration

1.1 To report on the feedback of statutory consultation from 31 January 2024 to 21 February 2024 on the proposals to install, relocate or conversion to dedicated disabled bays, and removal of **'general use' disabled** bays identified as no longer required: Scales Rd N17, Cromwell Ave N6, Waltheof Ave N17, Priory Ave N8, Priory Rd N8, Minster Walk N8, Crescent Rd N15, Springfield Ave N10, Bryanstone Rd N8, Buller Rd N17, Gedeney Rd N17, Warwick Gardens N4, Waltheof Garden N17, Fenton Rd N17, Pages Lane N10, Park Ln N10, Park Ln N17, The Avenue N17, Highgate Avenue N6, Umfreville Rd N4, Fairview Rd N15, Braemar Rd N15, Tower Gardens Rd N17, Morley Ave N22, South Close N6, Woodside Gardens N17, Stockton Gardens N17, Courcy Rd N8, Felix Avenue N8, Station Rd N22.

2 Cabinet Member Introduction

2.1 N/A.

3 Recommendations

3.1 Head of Service for Highways and Parking, in consultation with the Cabinet Member for Tackling Inequality and Resident Services: -

3.2 Having considered proposals, objections to the consultation, officer recommendations and having due regard to the needs set out in Section 149 of the Equality Act 2010, approve.

3.3 Approve to implement the proposed changes to disabled parking at 28 locations detailed in Table 1. A summary of recommendations includes the following:

- 24 new dedicated disabled bays
- 4 conversions of existing disabled bays to dedicated disabled parking bays
- Remove controlled parking zone restrictions where the introduction of new dedicated disabled bays is approved.

4 Reasons for decisions

- 4.1 The introduction and removal of dedicated, and general use disabled parking places, as set out in Table 1 Section 6, contributes to the Council meeting its obligations for disabled parking set out in section 149 of the Equality Act 2010 (the Public Sector Equality Duty 'PSED').
- 4.2 The Council received four objections in response to the statutory consultation undertaken during the public consultations. One objection questioned the validity of the applications received. Having carefully considered the objection received, and having reviewed the dedicated disabled bay application, no grounds on which the objection was submitted could be upheld.
- 4.3 Three objections cited the lack of available parking as a reason for not introducing the dedicated disabled bays. This is in opposition to the current dedicated disabled parking bay policy which prioritises parking for those who meet the agreed dedicated disabled parking bay criteria. Having carefully considered the objection received Officers have no grounds on which the objection is to be upheld.
- 4.4 With no valid grounds provided, officers recommend proceeding with all twenty-eight proposed dedicated disabled parking bay proposals detailed in Table 1.
- 4.5 A summary of objections received, and officer recommendations can be found in Table 2 of this report.
- 4.6 No objections were received to the remaining 24 proposals set out in Table 1.
- 4.7 Compliance with the Council's [disabled-parking-place-policy.pdf \(haringey.gov.uk\)](https://www.haringey.gov.uk/sites/default/files/2022-03/disabled-parking-place-policy.pdf).
- 4.8 The proposals contained within Table 1 impact 2 or more wards; however, in assessing the proposals, officers conclude that the proposed changes are not likely to be significant in terms of its effects on communities living or working in the area. Therefore, approval is being sought through Delegated Authority in consultation with the Cabinet Member for Tackling Inequality and Resident Services to make the relevant traffic management orders and implement the recommendations.

5 Alternative options considered

- 5.1 An alternative considered was to 'not undertake the requested introduction of new, upgrade of existing, the extension of existing or removal of no longer required disabled and dedicated disabled bays listed in Table 1. However, this is not recommended as it would be against the Council's current disabled person parking policy and legal requirements set by Department for Transport (DfT).

6 Background

- 6.1 Blue Badge holders in Haringey are entitled to make an application for a dedicated disabled persons' parking bay. These are required to be located close to the applicant's home.
- 6.2 A dedicated disabled persons parking bay (for the sole use by one vehicle) may be recommended if the applicant meets the following criteria (including conversion of a standard disabled persons parking bay to a dedicated disabled persons permit parking bay):
 - The applicant must be the holder of a current blue badge issued under the Disabled Persons (Badges for Motor Vehicles) Regulations 2000.

- The applicant must reside permanently at the address; or be able to nominate another driver who also resides permanently at the same address.
- The applicant, or the nominated driver, must have a driver's licence that is registered at the address where the bay is to be provided.
- The applicant must be able to provide written consent (medical consent form) for the Council to access their Blue Badge mobility assessment form and gather evidence to show the applicant has considerable difficulty in walking.
- The applicant has no access to alternative off-street parking. Applications are unlikely to be approved if the applicant has access to off-street parking areas such as a garage, a driveway or an area of hardstanding within their property. Exceptions may be considered if facilities can be demonstrated as being unsuitable for the use of a disabled person due to the nature of their disability.
- The higher rate of the Mobility Component of the disability living allowance elements of the Blue Badge Eligibility criteria; or
- Score 12 points or more under the 'moving around' activity of the mobility component of Personal Independence Payment (PIP); or
- The higher rate Attendance Allowance (aged 64 and over)
- The mobility component of PIP and has obtained 10 points specifically for Descriptor E under the "planning and following journeys" activity on the grounds that they are unable to undertake any journey because it would cause them overwhelming psychological distress; or
- A War Pensioner's Mobility Supplement (WPMS); or
- Has been both awarded a lump sum benefit at tariffs 1-8 of the Armed Forces Compensation Scheme and certified as having an enduring and substantial disability which causes the inability to walk or very considerable difficulty in walking; or
- Provide written evidence from a professional medical consultant (not a general practitioner) providing reasons why a disabled dedicated parking bay is required.

6.3 Haringey London Borough Council (hereafter known as 'the Council') continue to provide disabled persons parking bays on the public highway near locations such as hospitals, doctor's surgeries, outside chemists or other public buildings and amenities.

6.4 For a person to be eligible to utilise a disabled persons parking bay they must be the holder of a current blue badge issued under the Disabled Persons (Badges for Motor Vehicles) Regulations 2000.

6.5 A disabled persons parking bay or dedicated disabled persons parking bay may also be recommended for removal:

- If an individual's circumstances change, whereby the applicant no longer meets the criteria listed in Section 2.2.
- The applicant; or the applicant's relatives, friends or neighbours; advise the Council that a bay is no longer in use or required.

6.6 Occasionally, the Council receive requests to amend existing disabled persons' parking bays or dedicated disabled persons' parking bays where:

- An applicant would like a bay moved closer to their property or facility.
- An applicant would like a bay to be extended if they feel an existing bay does not or no longer meets their current needs.

- 6.7 In all cases, Council officers will conduct an assessment, which will inform the recommendations in Section 4 of this report.
- 6.8 To proceed with recommendations to introduce, change, relocate or remove a disabled persons parking bay or dedicated disabled persons parking bay, the Council must follow a statutory process.
- 6.9 Due to the volume of applications the Council receives, undertaking each application on an individual basis would not be cost-effective. To efficiently process requests, applications are assessed and progressed in batches covering a period of approximately 2 months.

Proposals

During the most recent period, the Council received 28 requests for

- Introduction of twenty-four new dedicated disabled parking bays,
- Conversions of four 'general use' disabled bays to dedicated disabled bays,

- 6.10 Table 1 below lists locations consisting proposed changes, See **Appendix 1** for detailed drawings:

Table 1

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(1)	Stapleton Hall Road N4 – outside no. 30	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(2)	Uplands Road N8 – outside no. 79	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(3)	Scales Road N17 – outside no. 78	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(4)	Cromwell Avenue N6 – outside no. 82	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(5)	Priory Road N8 – outside no. 107	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(6)	Minster Walk N8 – adjacent no. 27	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(7)	Crescent Road N15 – outside no. 4	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(8)	Springfield Avenue N10 – outside no. 72	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(9)	Bryanstone Road N8 – outside no. 20	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(10)	Gedeney Road N17 – outside no. 35	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(11)	Warwick Gardens N4 – outside no. 20	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(12)	Waltheof Garden N17 – outside no. 36	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(13)	Fenton Road N17 – outside no. 53	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(14)	Park Lane N17 – outside no. 190	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(15)	Highgate Avenue N6 – outside no. 19	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(16)	Fairview Road N15 – outside no. 129	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(17)	Braemar Road N15 – outside no. 51	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(18)	Tower Gardens Road N17 – outside no. 215	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(19)	Morley Avenue N22 – outside no. 181	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(20)	South Close N6 – outside no. 1	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(21)	Stockton Gardens N17 – outside no. 10	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(22)	Courcy Road N8 – outside no. 16	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(23)	Felix Avenue N8 – outside no. 9	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(24)	Station Road N22 – outside no. 122	Convert existing residential bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(25)	Buller Road N17 – outside no. 34	Upgrade existing disabled bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(26)	The Avenue N17 – outside no. 13	Upgrade existing disabled bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N
(27)	Umfreville Road N4 – outside no. 17	Upgrade existing disabled bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(28)	Woodside Gardens N17 – outside no. 101	Upgrade existing disabled bay to 6.6 metre Dedicated Disabled Permit Bay	To provide a dedicated parking facility to qualifying disabled resident At all times	N

Statutory Consultation

- 6.11 Statutory notification commenced on 31 January 2024 for periods of 21 days. The process consisted of Notice of Proposals being published in the London Gazette, Enfield and Haringey Independent and street notices being placed in each of the affected streets. The closing date for representations and comments was 21 February 2024.
- 6.12 In addition to the above, letters informing of the proposed changes were hand delivered to all properties in proximity to the proposed changes. **Appendix 2** contains copies of the letters delivered to affected frontages.
- 6.13 See **Appendix 3** for a copy of the statutory 'notice of proposal' advertised. As part of the statutory process, the views of the following statutory bodies were also sought:
- AA
 - London Transport
 - Police (local)
 - Fire Brigade
 - London Ambulance Service
 - Freight Transport Association
 - Road Haulage Association
 - RAC
 - Metropolitan Police (traffic)
 - London Travel Watch
 - Haringey Cycling Campaign

See **Appendix 4** for a copy of e-mail sent to the above statutory bodies.

Responses to Consultation

- 6.14 The Legal requirement of statutory consultation was followed with the instalment of street notices and newspaper adverts to notify users of the disabled bays of the statutory consultation and how they could object should they wish to. A Total of 4 objections were received for 4 proposals in Table 1. The objections received to the statutory consultation, along with officer recommendations, can be found in Table 2 below.

Table 2

Reference	Objection Theme	Officer Recommendation	Officer Response
Item (7) Table 1	The objector claims it would be unfair to themselves and other residents. Living in the same building and also registered disabled with two children, they challenge the necessity of the bay, stating that the applicant does not appear to meet the severe mobility impairment criteria required for such an allocation.	Not installing the proposed dedicated disabled bay would breach the Council Policy for Disabled Parking Places as the applicant meets the required eligibility criteria. The Council should proceed with the proposal.	The objector has been notified via e-mail that their objection/comments have been recorded and will be considered as part of the reporting process. The outcome of the decision report will be available to share with the objectors once a decision has been taken.
Item (12) Table 1	The objector claims that adding another disabled parking bay on Waltheof Gardens is unnecessary due to the presence of two existing bays nearby. They argue that introducing an additional bay would reduce parking availability for local residents and visitors to the nearby dental surgery.	Not installing the proposed dedicated disabled bay would breach the Council Policy for Disabled Parking Places as the applicant meets the required eligibility criteria. The Council should proceed with the proposal.	The objector has been notified via e-mail that their objection/comments have been recorded and will be considered as part of the reporting process. The outcome of the decision report will be available to share with the objectors once a decision has been taken.
Item (19) Table 1	The objector argues that the current allocation could place an undue burden on her, as even short distances pose a health risk. They advocate for a solution that considers the most urgent accessibility needs and requests a review of the decision to better accommodate their mother.	Not installing the proposed dedicated disabled bay would breach the Council Policy for Disabled Parking Places as the applicant meets the required eligibility criteria. The Council should proceed with the proposal.	The objector has been notified via e-mail that their objection/comments have been recorded and will be considered as part of the reporting process. The outcome of the decision report will be available to share with the objectors once a decision has been taken.

Reference	Objection Theme	Officer Recommendation	Officer Response
Item (28) Table 1	The objector argues against designating the parking bay. They highlight their 92-year-old mother's severe mobility issues and reliance on the bay for appointments. With the nearest bay too far, they stress the inconvenience to other elderly residents. They plan to apply for a blue badge and resident parking if the change proceeds.	Not installing the proposed dedicated disabled bay would breach the Council Policy for Disabled Parking Places as the applicant meets the required eligibility criteria. The Council should proceed with the proposal.	The objector has been notified via e-mail that their objection/comments have been recorded and will be considered as part of the reporting process. The outcome of the decision report will be available to share with the objectors once a decision has been taken. We have also reached out to the objector with proposal of installing general use disabled bay for the nearby residents.

6.15 After considering the statutory consultation responses it is therefore recommended that no alterations are made to the forty proposals listed in **Table 1**.

6.16 It is noted that LATOR provides local authorities with the discretion of whether or not to hold a public inquiry prior to the making of a TMO. This report does not include the recommendation to hold a public inquiry on account of: the effect of the order, the relatively small number of objections, that the project will contribute towards achieving a number of policy objectives and that holding a public inquiry would lead to expense and delay while being unlikely to alter the ultimate decision.

7 Contribution to strategic outcomes

7.1 The introduction and management of disabled parking places align with the Council's supports Theme 2: Responding to the climate emergency in the Corporate Delivery Plan 2023 - 2024. The delivery of this change to disabled parking will ensure that the Council manages parking for local residents and businesses on the public highway. This will improve access disabled parking and provide managed street space.

7.2 The eligibility for the introduction of disabled and dedicated disabled parking places is clearly defined by the current [disabled-parking-place-policy.pdf \(haringey.gov.uk\)](#).

7.3 The use of disabled parking and dedicated parking places contributes to the Council meeting its obligations for disabled parking set out in section 149 of the Equality Act 2010 (the Public Sector Equality Duty ('PSED')). This duty includes having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic (including people with a disability) and persons who do not share it.

8 Carbon and Climate Change

8.1 Parking controls contribute positively to carbon emission reduction and mitigate climate change in the following ways:

8.2 Reduced vehicle emissions - managed parking reduces congestion. Parking controls including Red Route controls will help ease congestion, leading to a decrease in emissions and therefore decrease in carbon footprint.

9 Comments of the Chief Financial Officer

9.1 This report seeks approval from the Head of Service for Highways and Parking to implement the proposed measures for dedicated disabled bays detailed in Table 1.

9.2 The full cost of this scheme is estimated to be approximately £28K in addition to the physical costs 'as detailed in table 3 below'; this cost includes community engagement; inventory of existing site conditions; design, traffic management orders and implementation. To be funded from the Council's approved Capital Programme included within the Parking Implementation Plan.

Table 3

Reference from Table 1	Cost Items	Total Cost	Projected Completion
28 locations (1) - (28)	Road Markings £2420 Signs and Posts £4235 TMO cost £3655	£10,310	To be completed by end of May 2024

9.3 Once implemented the future operation cost will be funded from the existing service revenue budgets.

10 Comments of the Head of Legal Services and Governance

10.1 Before reaching a decision to make the necessary traffic management order to implement changes to existing disabled and dedicated disabled bays, the Council must follow the statutory consultation procedures pursuant to the Road Traffic Regulation Act 1984 (as amended) ("RTRA") and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended) ("the Regulations"). All representations received must be properly considered in the light of administrative law principles, human rights law and the relevant statutory powers.

10.2 The Council's powers in relation to the making of traffic management orders arise mainly under sections 6, 9, 45, 46, 122 and 124 and schedules 1 paragraphs 1-22 the RTRA

10.3 The power of a local authority to make an order regulating or controlling vehicular and other traffic is contained within the scope of Section 6 of the RTRA.

10.4 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.

10.5 By virtue of section 122, the Council must exercise its powers under the RTRA 1984 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: -

- the desirability of securing and maintaining reasonable access to premises.
- 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.
- the national air quality strategy.
- facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
- any other matters appearing to the Council to be relevant.

10.6 The legal position in relation to traffic management orders and the statutory requirements in respect of consultation are set out in Section 9.1 through 9.5 of this report. Public and Statutory Public consultation has been undertaken and due consideration given to representations by the public. The Council would be acting in accordance with the law were it to proceed with the proposals set out in this report.

10.7 The proposals contained within this report impact 2 or more wards, however the proposed changes are not "likely to be significant in terms of its effects on communities living or working in an area". Therefore, approval will be sought through Delegated Authority in consultation with the Cabinet Member for Tackling Inequality and Resident Services to make the relevant traffic management orders and implement changes

11 Equalities Comments

11.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not

11.2 Foster good relations between people who share those characteristics and people who do not.

11.3 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status apply to the first part of the duty.

11.4 The Council must, when carrying out the Council's functions (which includes making decisions), have due regard to the needs set out in section 149 of the Equality Act 2010 (the Public Sector Equality Duty ('PSED')). This duty includes having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic (including people with a disability) and persons who do not share it. The Council must consider the duty, which is personal to decision makers.

11.5 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 person's disabilities".

11.6 The proposal to recommend the lengthening of disabled parking places at various locations in the borough is a necessary step that recognises and takes account of the parking needs of Haringey's disabled residents. It accords completely with meeting the Council's public sector equality duty in regard to the protected characteristic of disability.

12 Use of Appendices

Appendix 1 – Detailed designs showing the extent of the proposals stated in table 1 Section 6

Appendix 2 – Statutory Consultation notification letters delivered to properties/business

Appendix 3 – Statutory Consultation Notice of Proposal, advertising the proposals Detailed in Table 1 in Section 6

Appendix 4 – Statutory Consultation notification e-mail sent to statutory bodies stated in Section 6

Appendix 5 – Received objections in full