

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-2024-04

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Ward(s) affected: Bounds Green, Bruce Castle, Muswell Hill, Hermitage & Gardens, Stroud Green, Tottenham Hale, White Hart Lane, Northumberland Park, Hornsey.

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

1 Describe the issue under consideration

To report on the statutory consultation undertaken from 15th January 2025 to 5th February 2025 on the proposals to install, relocate or conversion to dedicated disabled bays on the following roads: Elms Avenue N10, Vale Road N4, Pembury Road N17, Weston Park N8, Springfield Avenue N10, Ladysmith Road N17, Hermitage Road N4, Meridian Walk N17, The Roundway N17, All Hallows Road N17, Stirling Road N17, North View Road N8, Acacia Avenue N17, Whittington Road N22, Church Lane N8.

2 Cabinet Member Introduction

2.1 N/A.

3 Recommendations

3.1 Head of Service for Highways and Parking, -

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 15 locations detailed in Table 1. A summary of recommendations includes the following:

- 13 new dedicated disabled bays
- 2 conversions of existing disabled bays to dedicated disabled permit 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 no direct objects against all the proposals in response to the statutory consultation undertaken.

4.3 With no objections being received, officers recommend proceeding with all the proposals set out in Table 1 of this report.

4.4 Compliance with the Council's [disabled-parking-place-policy.pdf \(haringey.gov.uk\)](https://www.haringey.gov.uk/sites/default/files/2019-03/disabled-parking-place-policy.pdf).

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 15 requests for

- Introduction of thirteen new dedicated disabled parking bays,
 - Conversions of two '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)	Elms Avenue N10 – outside no. 15	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)	Vale Road N4 – 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
(3)	Pembury Road N17 – opposite 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
(4)	Weston Park N8 – outside no. 94	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)	Durban Road N17 – adjacent 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

Reference	Location	Description	Reason for proposal and operation hours	Changes to waiting/loading restrictions required? (Y/N)
(6)	Ladysmith Road N17 – outside no. 11	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)	Hermitage Road N4 – outside no. 17	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
(8)	The Roundway N17 – outside no. 148	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)	All Hallows Road N17 – outside no. 12	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)	North View Road N8 – outside no. 32	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)
(11)	Acacia Avenue N17 – outside no. 11	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)	Whittington Road N22 – outside no. 71	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
(13)	Church Lane N8 – outside no. 7	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)	Springfield Avenue N10 – outside no. 43	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
(15)	Stirling Road 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

Statutory Consultation

6.11 Statutory notification commenced on 15th January 2025 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 5th February 2025.

- 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

Responses to Statutory 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. No objections were received for all the proposals in Table 1.
- 6.15 After considering the comments received to the statutory consultation and establishing there are no clear grounds on which to uphold them, it is therefore recommended that no alterations are made to the forty proposals listed in **Table 1**.
- 6.16 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.
- 6.17 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:

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 £32K 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 £6500 Signs and Posts £6720 TMO cost £3655	£16,875	To be completed by end of March 2025

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 introduce new 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 of 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 ambit 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 amenities.
 - 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 sections 6.5 through 6.11 of this report. 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.

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