

## Parking Places for Disabled Persons Vehicles – Thanet Various

Joint Transportation Board **7 June 2018**

Report Author **Uniformed Services Enforcement Manager**

Portfolio Holder **Cllr Rosanna Taylor-Smith Cabinet Member for Operational Services**

Status **For Recommendation**

Classification: **Unrestricted**

Key Decision **No**

Ward: **Across the District - Various**

### Executive Summary:

To report upon the request to provide parking places for disabled persons vehicles in Thanet.

### Recommendation(s):

Members are requested to recommend option 1 - that the parking places for disabled person's vehicles as listed in annex 1 would be exposed for formal public consultation.

That the proposals which require statutory consultation are advertised, and that any traffic related objections are reported back to a future meeting of the Board.

### CORPORATE IMPLICATIONS

<b>Financial and Value for Money</b>	The work associated with the Traffic Regulation Order for parking places for disabled person vehicles would be funded, managed and enforced by the Thanet District Council using the 'decriminalisation budget'. As a result these proposals can be covered from within existing budgets.
<b>Legal</b>	Kent County Council, as traffic authority, has the power to designate part of the highway as an on-street parking place and control the type of vehicle and the terms and conditions of its use under the Road Traffic Regulation Act 1984, Sections 32 and 35.
<b>Corporate</b>	The proposal will benefit all blue badge holders that may need to park in the Thanet area as on street disabled persons parking bays are for any vehicle that is displaying a valid blue badge. Without a Traffic Regulation Order on the disabled persons parking bays the bays cannot be kept clear for blue badge holders. This fits in with the councils Priorities and Values.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

	<p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td></td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td style="text-align: center;">✓</td> </tr> </table> <p>The proposed disabled person's parking bays have been requested by local residents to assist them in parking nearer their property where suitable off street parking is not available. The bays can be used by any disabled person who has a blue badge.</p> <p>The proposals further aims two and three of the Public Sector Equality Duty in advancing the equality of opportunity by meeting the needs of persons with a protected characteristic. There is also the opportunity to foster good relations, through the dialogue between officers and residents and understanding and meeting the needs of those with disabilities.</p> <p>By advertising the disabled drivers parking bays as part of the Traffic Regulation Order making process the Order can be made, a sign can be erected and the bay will be legal and can be enforced. This will benefit all holders of blue badges and give them greater independence to lead their lives.</p> <p>The proposals will be subject to public consultation and all comments will be considered by officers, with due regard given to comments relevant to the Public Sector Equality Duty. If any changes are made to the current legislation or parking areas we will review our impact assessment.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,		Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓	Foster good relations between people who share a protected characteristic and people who do not share it.	✓
Please indicate which aim is relevant to the report.									
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Foster good relations between people who share a protected characteristic and people who do not share it.	✓								

<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	✓

<b>CORPORATE VALUES (tick those relevant)✓</b>	
Delivering value for money	✓
Supporting the Workforce	
Promoting open communications	✓

## 1.0 Introduction and Background

- 1.1 Kent County Council, as traffic authority, has the power to designate part of the highway as an on-street parking place and control the type of vehicle and the terms and conditions of its use under the Road Traffic Regulation Act 1984, Sections 32 and 35.
- 1.2 Therefore, Thanet District Council, acting on behalf of Kent County Council can provide special parking bays on streets for disabled people who have substantial difficulties in walking and parking in the vicinity of their property.

## 2.0 The Current Situation

- 2.1 Five applications for a parking place for disabled person's vehicle have been processed and it has been agreed that an interim parking place has been introduced. This means that the bay is marked on the road but will not be legal and therefore cannot be enforced.
- 2.2 Once a legal Traffic Regulation Order is made a sign is erected and the bay is legal and can be enforced.
- 2.3 Five applications for parking place for disabled person's vehicle have been agreed and are listed in annex 1.
- 2.4 If Members endorse the recommendations, the bays will be formally advertised in the usual way for public comment/objection. A notice is placed in a free local newspaper and notices are placed 'on street'. If objections are received on traffic related matters they will be referred to Members who will recommend whether to amend, abandon or introduce the parking place for disabled person's vehicle as advertised.

## 3.0 Options

- 3.1 1 – Advertise - The parking places for disabled persons vehicle as listed in annex 1 would be exposed for formal public consultation.
- 3.2 2 – Take no further action - The parking places for disabled persons vehicle as listed in annex 1 would not be exposed for formal public consultation and therefore could not be enforced.

## 4.0 Next Steps

- 4.1 That the proposals as list in appendix 1 are advertised for public consultation and that any traffic related objections are reported back to a future meeting of the Board.

Contact Officer:	Rebecca Glaiser, Uniformed Services Enforcement Manager
Reporting to:	Trevor Kennett, Head of Operational Services

## Annex List

Annex 1	List of sites and site plans of Disabled persons parking bays to be advertised.
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## Background Papers

Title	Details of where to Access copy
None	N/A

## Corporate Consultation

Finance	Matthew Sanham, Corporate Finance Manager
Legal	Colin Evans, Assistant Litigation Solicitor