

# Report of the Strategic Director, Regeneration and Culture to the meeting of Bradford East Area Committee to be held on 17 September 2014.

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**Subject:**

**DISABLED PERSONS PARKING PLACE – NEW HEY ROAD, EAST BOWLING**

**Summary statement:**

This report considers a request for an informal Disabled Persons Parking Place at New Hey Road, East Bowling.

**Ward: 5      Bowling and Barkerend**

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**Portfolio:**

**Housing, Planning & Transport**

**Overview & Scrutiny Area:**

**Environment and Waste Management**

## **1.0 SUMMARY**

- 1.1. This report considers a request for an informal Disabled Persons Parking Place at New Hey Road, East Bowling.

## **2.0 BACKGROUND**

- 2.1 An application for an informal Disabled Persons Parking Place (DPPP) was received for 123 New Hey Road, Bradford. The applicant meets all the criteria for the provision of a DPPP in the current Council Policy. The criteria are attached as Appendix 1. Consultations were undertaken with ward councillors and neighbouring property owners to seek their views about providing a DPPP at this location and objections have been received. The location of the proposed informal DPPP is shown on drawing no. N/BE/102457/8BA attached as Appendix 2.
- 2.2 Seven letters of consultation to neighbouring properties were sent out. Two objections have been received. The objectors have concerns that the applicant parks a caravan outside a neighbour's property and is requesting a parking space is provided outside his own property.
- 2.3 When neighbours object to the installation of informal DPPP facilities the objections are referred to Community Accord who make attempts to mediate between relevant parties. However, Community Accord has recently started charging for this service and the applicant has requested that this issue be referred to the Area Committee for consideration.

### **Officer comments**

- 2.4 Informal DPPP are indicated by advisory carriageway markings only and are not legally enforceable by either the Council Wardens or the Police. The success of informal parking places relies on local people being community minded enough to park elsewhere if they are not blue badge holders.
- 2.5 If there is not universal support for the provision of a DPPP in a community, but there is Area Committee commitment to providing a facility, the only way to ensure that any space provided is available for the use of disabled persons is through the formal Traffic Regulation Order making process. It would be possible to advertise a Traffic Regulation Order for a formal DPPP at this location. The length of the parking place would have to be 6.6 metres to comply with the current regulations. Any objections received to this Traffic Regulation Order would need to be referred back to this Area Committee for Members to determine an appropriate course of action.
- 2.6 When an officer recently visited this location a caravan was not present. Notwithstanding this, caravans parked on the highway are in contravention of the Highways Act and appropriate enforcement action can be taken. As such this point is not considered relevant to the application.

### **3.0 OTHER CONSIDERATIONS**

- 3.1 Ward Members have been consulted and one Member is aware of the issues at this site and does not support the application.

### **4.0 FINANCIAL & RESOURCE APPRAISAL**

- 4.1 Funding has been allocated in the Safer Roads Capital Programme to provide Disabled Persons Parking Places. The estimated cost of implementing an informal DPPP is £200. The estimated cost of a Traffic Regulation Order is £5,000. The latter cost would be substantially reduced if the proposal was incorporated into another Traffic Regulation Order.

### **5.0 RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 5.1 There are no risk implications.

### **6.0 LEGAL APPRAISAL**

- 6.1 An informal DPPP relies on respect and understanding between neighbours who recognise and support the special needs of an individual in their community. A formal DPPP is supported by a Traffic Regulation Order and gives the enforcing authority the powers as highway authority and traffic regulation authority to intervene if the need arises.

### **7.0 OTHER IMPLICATIONS**

#### **7.1 EQUALITY & DIVERSITY**

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions “have due regard to the need to eliminate conduct that is prohibited by this Act, advance equality of opportunity between people who share a protected characteristic and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines “relevant protected characteristics” as including a range of characteristics including disability, race and religion.

As stated above an informal DPPP relies on respect and understanding between neighbours who recognise and support the special needs of an individual with disabilities in their community. A DPPP is supported by a Traffic Regulation Order and gives the enforcing authority the power to intervene if the need arises. It is therefore considered that this report is compliant with the Equality Act 2010.

#### **7.2 SUSTAINABILITY IMPLICATIONS**

There are no significant sustainability issues.

**7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

There is no impact on the Council's own and the wider District's carbon footprint and emissions from other greenhouse gasses arising from this report.

**7.4 COMMUNITY SAFETY IMPLICATIONS**

The provision of a DPPP would not create any road safety hazards.

**7.5 HUMAN RIGHTS ACT**

There are no implications on the Human Rights Act.

**7.6 TRADE UNION**

There are no Trade Union implications.

**7.7 WARD IMPLICATIONS**

Ward Members have been consulted on the informal DPPP.

**7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS**

The implementation of DPPP's supports priorities within the Bradford East Area Committee Action Plan.

**8.0 NOT FOR PUBLICATION DOCUMENTS**

8.1 None.

**9.0 OPTIONS**

9.1 That an informal Disabled Persons Parking Place is provided at 123 New Hey Road.

9.2 That approval is given to advertise a Traffic Regulation Order for a legally enforceable Disabled Persons Parking Place at 123 New Hey Road. That any valid objections to the Order be submitted to the Bradford East Area Committee for consideration or in the event of there being no valid objections the Order be sealed and implemented as advertised.

9.3 That the request for a Disabled Persons Parking Place at 123 New Hey Road is refused.

9.4 Members may propose a different course of action to those listed and, in that case, will receive appropriate guidance from officers.

**10.0 RECOMMENDATIONS**

10.1 That Members determine their preferred course of action regarding the request

for a Disabled Persons Parking Place at 123 New Hey Road.

10.2 That the applicant and objectors are informed accordingly.

**11.0 APPENDICES**

11.1 Appendix 1 Criteria for the provision of Disabled Persons Parking Places.

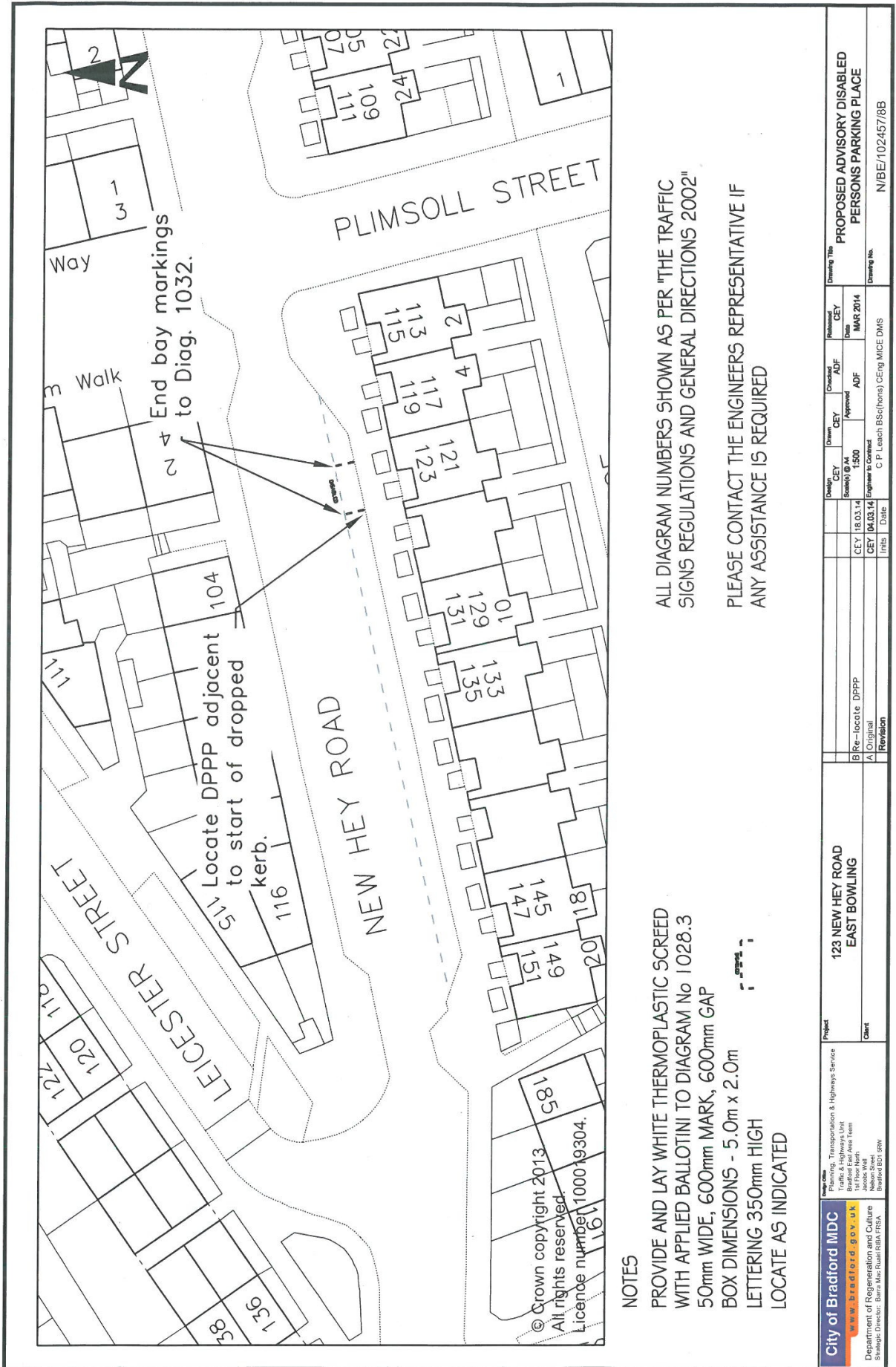
11.2 Appendix 2 Drawing No. N/BE/102457/8B.

**12.0 BACKGROUND DOCUMENTS**

12.1 City of Bradford Metropolitan District Council File Reference R/S/BE/102457.

**CRITERIA FOR DISABLED PERSONS PARKING PLACES  
IN RESIDENTIAL AREAS**

1. The vehicle used to transport the disabled person is permanently based at the address where the space has been requested.
2. The applicant must possess a disabled persons parking permit (Blue Badge)
3. The applicant must receive the Higher Rate Mobility Component of Disability Living Allowance, Higher Rate Attendance Allowance or the Mobility Component of a Personal Independence Payment (PIP)
4. There must not be accessible off-street parking at the address for which the space has been requested, ie. a drive, garage or rear yard which can accommodate a vehicle.



**NOTES**

PROVIDE AND LAY WHITE THERMOPLASTIC SCREED WITH APPLIED BALLOTTINI TO DIAGRAM NO 1028.3  
 50mm WIDE, 600mm MARK, 600mm GAP  
 BOX DIMENSIONS - 5.0m x 2.0m  
 LETTERING 350mm HIGH  
 LOCATE AS INDICATED

ALL DIAGRAM NUMBERS SHOWN AS PER "THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 2002"  
 PLEASE CONTACT THE ENGINEERS REPRESENTATIVE IF ANY ASSISTANCE IS REQUIRED

<p><b>City of Bradford MDC</b>  <a href="http://www.bradford.gov.uk">www.bradford.gov.uk</a>                  Department of Regeneration and Culture                  Strategic Director: Brian Meehan FRBA FRSA</p>		<p><b>Project</b>                  123 NEW HEY ROAD                  EAST BOWLING</p>		<p><b>Client</b>                  PROPOSED ADVISORY DISABLED PERSONS PARKING PLACE</p>	
<p><b>Drawn</b> CEY                  Scale: 1:500                  Date: 18.03.14</p>	<p><b>Checked</b> ADF                  Date: 18.03.14</p>	<p><b>Released</b> CEY                  Date: MAR 2014</p>	<p><b>Drawn This</b></p>	<p><b>Revision</b></p>	<p><b>Drawing No.</b>                  N/BE/102457/8B</p>
<p><b>Revision</b></p>		<p><b>Revision</b></p>		<p><b>Revision</b></p>	