



## Report to Leader (Transport portfolio)

**Decision Date:** 4 February 2022

**Reference number:** TR03.22

**Title:** **Disabled Parking Bays (from November 2021 consultation)**

**Cabinet Member(s):** Councillor Steve Broadbent

**Contact officer:** Ian Thomas [Ian.Thomas@buckinghamshire.gov.uk](mailto:Ian.Thomas@buckinghamshire.gov.uk)

**Ward(s) affected:** Aylesbury North; Aylesbury North West; Booker, Cressex & Castlefield; Chalfont St Peter; Chesham; Chess Valley; Great Brickhill; Iver; Ivinghoe; Little Chalfont & Amersham Common; Marlow; Penn Wood & Old Amersham; Stoke Poges & Wexham; West Wycombe;

### **Recommendations:**

- a. **The Leader approves the making of the Traffic Regulation Order (TRO) as outlined in this report.**
- b. **That responders to the Statutory Consultation be informed of the Decision**
- c. **The TRO be made as advertised during the statutory consultation.**

### **Reason for decision:**

Buckinghamshire Council is responsible for the highway network within its boundary; this includes the provision and management of restrictions both on the highway and in council run car parks, which includes the enforcement of waiting restrictions in both on-street and off-street locations.

All but one of these locations are to assist blue badge holders to park close to their homes. The other location is Market Square in Old Amersham and is to ensure access to local facilities for Blue Badge Permit holders.

- for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- for facilitating the passage on the road or any other road of any class of traffic (including pedestrians),

## **1. Executive summary**

- 1.1 Parking Services within Buckinghamshire Council undertakes a review of applications submitted for disabled parking bays near residential properties and where possible recommends locations suitable for the provision of disabled parking bays on the public highway in residential areas.
- 1.2 This Key Decision Report relates to the subsequent review of the Statutory Consultation and makes recommendations to the Cabinet Member for Transport.

## **2. Content of report**

- 2.1 Buckinghamshire Council is responsible for the highway network within its boundary; this includes the provision and management of speed, movement and static restrictions on the highway and in council run car parks.
- 2.2 In addition it is also responsible for parking enforcement of waiting restrictions in both on-street and off-street locations.

## **3. Other options considered**

- 3.1 Not to proceed would disadvantage residents blue badge holders in being able to park near to their homes.

## **4. Legal and financial implications**

- 4.1 Section 122 of the Road Traffic Act 1984 places a duty on Buckinghamshire Council 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.
- 4.2 The TRO Regulations state that an Order making authority may make an Order. Whether in receipt of any objections or otherwise, before it is made. However, before proceeding to make the order it must inform persons likely to be affected by the modifications, giving those persons an opportunity to make representations and ensuring that such representations are duly considered.
- 4.3 When the decision is taken and recommendations agreed, the Traffic Regulation Orders will be made, and brought into operation. The respondents to the consultation and persons likely to be affected will be informed of the decisions made and representations considered. The made orders will then be re-advertised by Buckinghamshire Council.



## **5. Corporate implications**

- 5.1 No property implications have been identified.
- 5.2 Equality and Diversity Issues – Equality Act 2010. All bar one of the proposals are being made to assist Blue Badge Permit holders to be able to park close to their homes. The other location is Market Square in Old Amersham and is to ensure disabled access is available for the local facilities. A Blue Badge is a permit that helps people with enduring and substantial mobility problems and/or non-visible (hidden) disabilities to access goods and services, by allowing them to park close to their destination.
- 5.3 The consolidation of orders is funded by Transport for Buckinghamshire.

## **6. Local councillors & community boards consultation & views**

- 6.1 These measures were advertised and promoted locally through a Statutory Consultation process carried out between Wednesday the 13th October 2021 and Monday the 8th November 2021 in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the TRO Regulations") copies of the Statutory Consultation Documents can be found in the Appendices below.
- 6.2 The Police, Fire and Rescue Service and Ambulance Service were made aware of the consultation. One response has been received from the statutory consultees for the proposal as advertised.
  - a) Councillor P Gomm commented "I agree with all restrictions"
- 6.3 Details of the proposed scheme were placed on the authorities' web site (see appendix 2) detailing the restrictions and locations affected and how they could obtain more information and provide feedback. The draft notice was also advertised in various local papers covering the county.
- 6.4 From the formal consultation Transport for Buckinghamshire (TfB) received no responses from the public in relation to the 18 sites across the county for disabled bays.

## **7. Communication, engagement & further consultation**

- 7.1 All consultees and responders to the consultation will be contacted by either e-mail or letter and will be informed of the decision and where they can find the details of the statutory consultation and the decision taken. This report will be published on the Council's web page.

## **8. Next steps and review**

- 8.1 Transport for Buckinghamshire will, if this report is approved make the Traffic Regulation Order. The council manager responsible for the enforcement of the Traffic Regulation Order will then review the restrictions in relation to complaints, penalty charge notices issued, and income received from penalty charge notices.
- 8.2 If this report is rejected, disabled bay applicants will be informed, and no further action will be taken in relation to the Traffic Regulation Order.

## **9. Background papers**

- 9.1 Appendix 1 – Map Tiles.
- 9.2 Appendix 2 – Consultation details
- 9.3 Appendix 3 – Public Consultation Report.

## **10. Your questions and views (for key decisions)**

- 10.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

