



Democratic Services

Location: Phase II

Ext: 0185

DDI: 01895 250185

My Ref: LP

**To: COUNCILLOR JOHN RILEY
CABINET MEMBER FOR PUBLIC SAFETY AND
TRANSPORT**

c.c. All Members of Executive Scrutiny Committee
c.c. Perry Scott, Residents Services
c.c. Caroline Haywood, Residents Services
c.c. Chairman of the Residents, Education and
Environmental Services Policy Overview Committee
c.c. Ward Councillors for Townfield
c.c. Conservative and Labour Group Offices
(inspection copy)

Date: 02 February 2021

Non-Key Decision request

Form D

ELMLEA DRIVE, HAYES - OBJECTION TO PROPOSED DISABLED PERSON PARKING BAY

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Wednesday 10 February 2021** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Liz Penny
Democratic Services Officer

Title of Report: Elmlea Drive, Hayes - Objection to Proposed Disabled Person Parking Bay

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

SignedDate.....

Cabinet Member for Public Safety and Transport

ELMLEA DRIVE, HAYES - OBJECTION TO PROPOSED DISABLED PERSON PARKING BAY

Cabinet Member(s)	Cllr John Riley
Cabinet Portfolio(s)	Public Safety and Transport
Officer Contact(s)	Caroline Haywood, Transport & Projects
Papers with report	Appendices A & B

HEADLINES

Summary	To inform the Cabinet Member that an objection has been received to the proposed disabled bay on Elmlea Drive, Hayes.
Putting our Residents First	The request can be considered as part of the Council's annual programme of road safety initiatives.
Financial Cost	The cost associated with the recommendations to this report is estimated at £100 and will be met from within existing revenue budgets for the Transportation Service.
Relevant Policy Overview Committee	Residents, Education and Environmental Services
Relevant Ward(s)	Townfield

RECOMMENDATIONS

That the Cabinet Member for Public Safety and Transport:

1. notes the application for a disabled parking bay outside No 12 Elmlea Drive, Hayes;
2. considers the objection to the proposed disabled persons parking bay on Elmlea Drive, Hayes; and
3. approves the installation of the proposed disabled persons parking bay on Elmlea Drive, as shown in Appendix B to this report.

Reasons for recommendations

The formal disabled parking bay is intended to benefit disabled people by designating a parking space for the use of Blue Badge holders.

Alternative options considered / risk management

None at this stage.

Democratic compliance / previous authority

None at this stage.

Policy Overview Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Elmlea Drive is a residential cul-de-sac of 12 houses within Townfield Ward. The properties do not have off street parking and there are existing double yellow lines at the start of the road to help maintain access. The road is opposite the Beck Theatre and next to Hayes Cottage Hospital, Renal Unit and nursing home. It is in close proximity to local shops on the Uxbridge Road. A plan of the area is shown on Appendix A to this report.
2. The Council received an application for a disabled parking bay from a resident of Elmlea Drive. The application fully met the Council's assessment criteria for the provision of an on-street disabled parking bay. As a result, a proposal was developed for an on-street disabled parking bay close to the resident's property, whilst maintaining as much parking for other residents as possible. It was noted from officer's site visit that residents are double parking and, whilst this practice appears to block other residents in, it does maximise the limited space.
3. Approval was subsequently granted by Delegated Officer's Action to progress this proposal to the statutory consultation stage. Formal notice was given of the Council's intentions for statutory consultation on the proposal shown in Appendix B to this report, and a 21-day notice of intent was duly published. During this period, the Council received one email objecting to this proposed disabled parking bay.
4. The objector stated "*I am extremely concerned because I live in a small street with very limited parking spaces. Most of the street is pedestrianised meaning that nearby spaces are often difficult to find..... I rely on family support for shopping, medical and daily assistance.....I understand an unnamed resident of Elmlea Drive has requested a dedicated parking space for disability access. Anyone visiting this small space would quickly realise that such a move would make the current situation with parking completely untenable for the rest of the tenants including myself. To my knowledge, elderly, and or chronically ill people live at numbers 2, 6, 8, 10 and 11and all would be deserving of parking priority. Currently it appears that householders.....use the small road for parking large commercial vehicles in addition to family cars, rendering parking already extremely difficult.double yellow lines which were added to the road about two decades ago create more congestion*

problems. My intention is that a fair and proper decision can be made taking into consideration the needs of all residents."

5. The comments from the objector are acknowledged. However, from Council offices' site observations and detailed investigations, the applicant meets the Council's assessment criteria for an on-street disabled parking bay. The proposed formal disabled parking bay in Elmlea Drive would be available for any Blue Badge holder to use without time limit. The Council continually reviews the use of on-street disabled parking bays and will consider their removal if they are no longer required due to either a change in circumstances, are reported to be unused or if the resident has moved away.
6. Whilst it is understood that the provision of Blue Badge disabled bays can lead to strong feelings both for and against their introduction, the Council's criteria have been met in this instance. It is therefore recommended that the Council proceeds with the formalisation of the disabled parking bay on Elmlea Drive, as shown in Appendix B to this report.

Financial Implications

The estimated cost of installing the proposed disabled parking bay and signpost is £100 and will be managed within existing revenue transportation budgets

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

The proposed disabled parking bay is intended to benefit disabled people by designating a parking space for the sole use of Blue Badge holders.

Consultation carried out or required

Consultation has been carried out on this proposal through a notice on site and in the local press. Local Ward Councillors have also been consulted.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed the recommendations to this report and concurs with the financial implications as set out above.

Legal

The Council's power to make orders to implement a disabled person's parking bay is set out in the Road Traffic Regulation Act 1984. The power to create/provide designated parking places is set out in Part IV of the Road Traffic Regulation Act 1984.

The Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings and there are no special circumstances drawn to our attention that would prevent the scheme proceeding provided that the appropriate statutory procedures are followed. The consultation and order making statutory procedures that should be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

In exercising any of the powers under the Road Traffic Regulation Act 1984 (as amended), the Council have to consider their statutory duty 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:

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

These powers must be balanced with the concerns raised by the objector.

Availability for any Blue Badge holder to use the disabled parking bay outside No 12 Elmlea Drive is a relevant consideration in deciding whether to make this form of order. In considering the consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer's recommendation. The decision maker must be satisfied that responses from the public were conscientiously taken into account.

When making decisions, the Council should be mindful of its public sector equality duty under section 149 of the Equality Act 2010.

Infrastructure / Asset Management

There are no property implications resulting from the recommendations set out in this report.

Comments from other relevant service areas

None at this stage.

BACKGROUND PAPERS

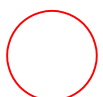
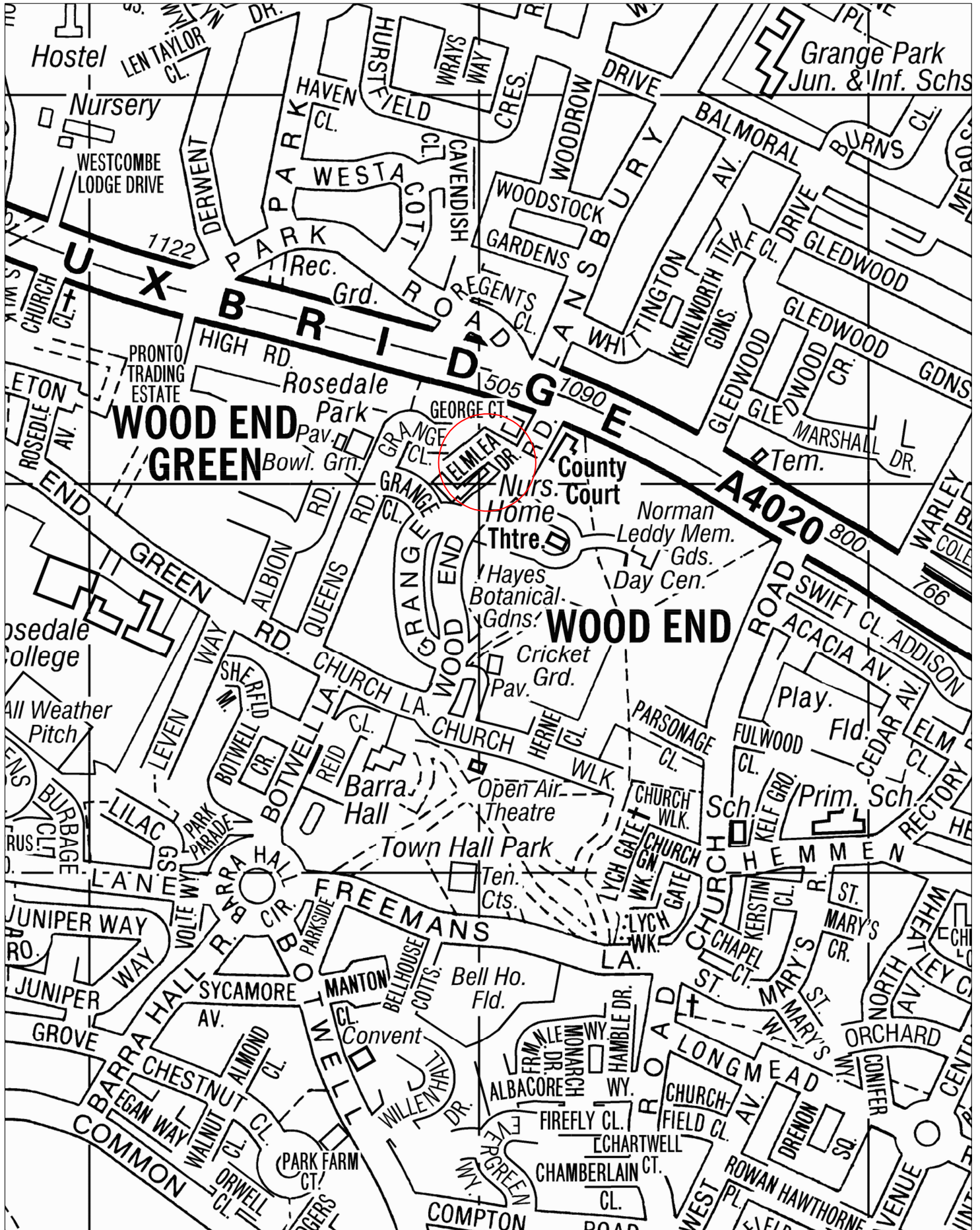
- Traffic order
- Objection emails

TITLE OF ANY APPENDICES

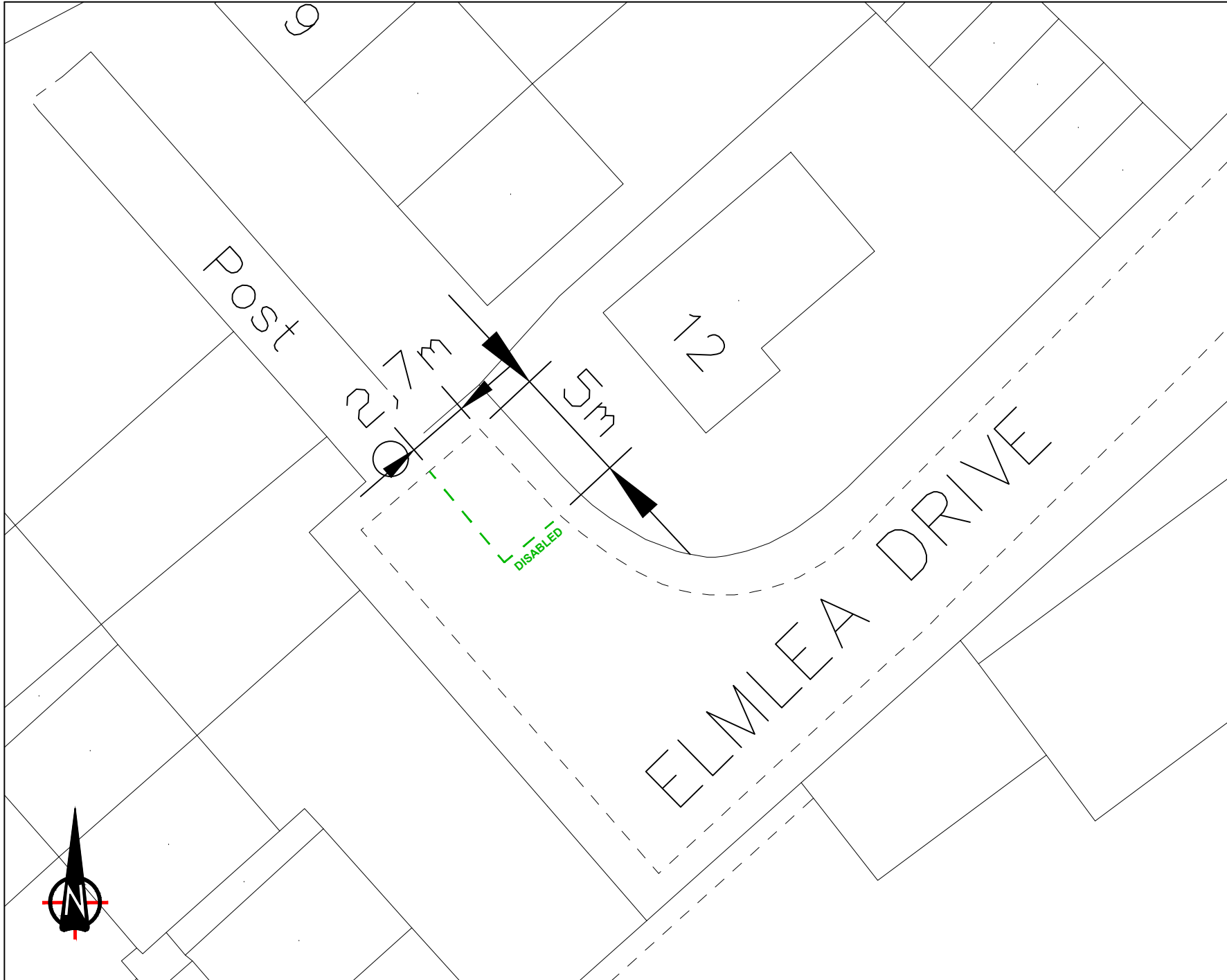
Appendix A - location plan

Appendix B - plan of proposal

APPENDIX A



Elmlea Drive



Notes:



Proposed disabled parking bay

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London Borough of Hillingdon 100019283 2020



Project

Disabled bay

RSP/CAD/Angel Lane

Description

Elmlea Drive, Hayes

Scale	Drawn	(Initials/Date)	Checked	(Initials/Date)
N.T.S	CH	08/2020		
Project No.	Drawing No.	Rev.		
A4	RSPD1			