



Democratic Services

Location: Phase II
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**To: COUNCILLOR JONATHAN BIANCO
CABINET MEMBER FOR PROPERTY, HIGHWAYS
& TRANSPORT**

c.c. All Members of the Corporate Resources &
Infrastructure Select Committee
c.c. Caroline Haywood, Place Directorate
c.c. Karrie Whelan – Corporate Director of Place
c.c. Ward Councillors for Belmore

Date: 17 July 2024

Non-Key Decision request

Form D

KEATS CLOSE, 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 Thursday 25 July 2024** 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.

Ryan Dell
Democratic Services Officer

Title of Report: Keats Close, 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)

Signed Date.....

Cabinet Member for Property, Highways & Transport

KEATS CLOSE, HAYES - OBJECTION TO PROPOSED DISABLED PERSON PARKING BAY

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Cabinet Member for Property, Highways and Transport
Officer Contact	Caroline Haywood – Place Directorate
Papers with report	Appendix A – Location Plan Appendix B – Plan of Proposal

HEADLINES

Summary	To inform the Cabinet Member that objections have been received to the proposed disabled bay on Keats Close, 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 estimated cost associated with the recommendations to this report is £400 and will be managed within existing revenue budgets for the Transportation Service.
Relevant Select Committee	Corporate Resources and Infrastructure Select Committee.
Relevant Ward	Belmore.

RECOMMENDATIONS

That the Cabinet Member for Property, Highways and Transport:

- 1. Notes the application for a disabled parking bay in Keats Close, Hayes;**
- 2. Considers the objections to the proposed disabled persons' parking bay on Keats Close, Hayes; and**
- 3. Approves the installation of the proposed disabled persons' parking bay on Keats Close, Hayes, 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.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Keats Close is a residential cul-de-sac within Belmore Ward. The road has 24 maisonette properties. It leads into Warley Road and on to Balmoral Drive and 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 Keats Close. The applicant fully meets the Council's assessment criteria for the provision of an on-street disabled parking bay. A proposal was developed for an on-street disabled parking bay as close and safely as practicable to the resident's property, whilst maintaining as much parking for other residents as possible.
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 three objections to this proposed disabled parking bay. Two objections are from the same property.
4. The **first objector** stated *"I am writing to express my strong opposition to the proposed designation of a disabled bay in our street. My main concern is in relation to the parking space. We hardly find space to park our car. Because we have small kids and it is sometimes hard for us to find the parking in our street. Also there are robberies happening in the cars if we have to park in any other street and for that reason we want to park our car in our street. I fully recognize and support the importance of providing accessible parking for disabled people. However, the current designation of a disabled bay in our street would make it very hard to find the parking space."*
5. The **second objector** stated *"I fully recognize and support the importance of providing accessible parking for individuals with disabilities. However, I believe that the current designation of a disabled bay in front of my house would significantly impede my plans to create a driveway for personal use. My property at 12 Keats Close Hayes is an integral part of my home, and I am seeking to enhance its functionality by constructing a driveway. This driveway would not only serve my personal needs but also contribute positively to the overall aesthetics of the neighbourhood. I want to emphasize that there are ample alternative parking options available nearby that could adequately address the accessibility needs of individuals with disabilities without compromising my property plans. I believe that a fair and balanced solution can be reached that accommodates the diverse needs of residents in our community."*
6. The **third objector** stated *"As a parent of young children, my primary concern is their safety. The area in front of my house serves as a vital space for their outdoor activities and play. Introducing a disabled parking bay might compromise their safety and hinder their ability to enjoy a secure environment. I fully support accessibility initiatives, but I kindly request reconsideration of the location. Perhaps an alternative spot that doesn't impact the immediate vicinity of my home could be explored. Your understanding and consideration on this matter are greatly appreciated. I believe finding a balance between accessibility and the safety of young residents is crucial. My primary concern revolves around the safety and well-being of my young children. The installation of a disabled parking bay directly in front of our home poses potential risks that need careful consideration: 1. ****Child Safety:**** Our neighbourhood*

*is home to several young families, and the presence of a disabled parking bay may introduce additional hazards for children playing in the vicinity. Increased vehicle traffic and potential disruptions could compromise their safety. 2. ****Limited Visibility:**** The visibility of drivers entering and exiting a designated parking bay may be obstructed, increasing the risk of accidents, especially considering the presence of children who may not always be visible to drivers. 3. ****Access to Residence:**** The proposed disabled parking bay might impede our ability to park conveniently near our residence, making it challenging for us to load and unload young children and their belongings safely. I would like to request a thorough reassessment of the proposed location, taking into account the unique circumstances of households with young children. Additionally, I am open to discussing alternative solutions that ensure accessibility for residents with disabilities while mitigating potential risks to children in the neighbourhood.”*

7. Vehicles are already parking in the area where the disabled bay is proposed so the safety of children would not be increased with its installation. The visibility for vehicles using the bay would be the same as any vehicle parking in the road exiting a space. If a property wishes to apply for a dropped kerb then the location of the disabled bay would be reviewed once an application has been submitted and considered by the relevant teams within the Council.
8. The proposed formal disabled parking bay in Keats Close would be available for any Blue Badge holder to use without time limit; although officers do not know all the circumstances of the objector, if they too have a Blue Badge, then it would be possible for them to access it on occasions. 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. The Council aims to install disabled bays as close to the resident's property as possible.
9. The views of Ward Councillors were sought, and no concerns were expressed.
10. Whilst it is understood that the provision of Blue Badge disabled bays can lead to strong feelings both for and against their introduction, the bay is proposed where residents already park and would not restrict access to any dropped kerb or the free flow of traffic. It is therefore recommended that the Council proceeds with the installation of the disabled parking bay on Keats Close, as shown in Appendix B to this report.

Financial Implications

The cost associated with the recommendations to this report is estimated at £400 and will be managed within existing revenue budgets for the Transportation Service.

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, 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 in Keats Close 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.

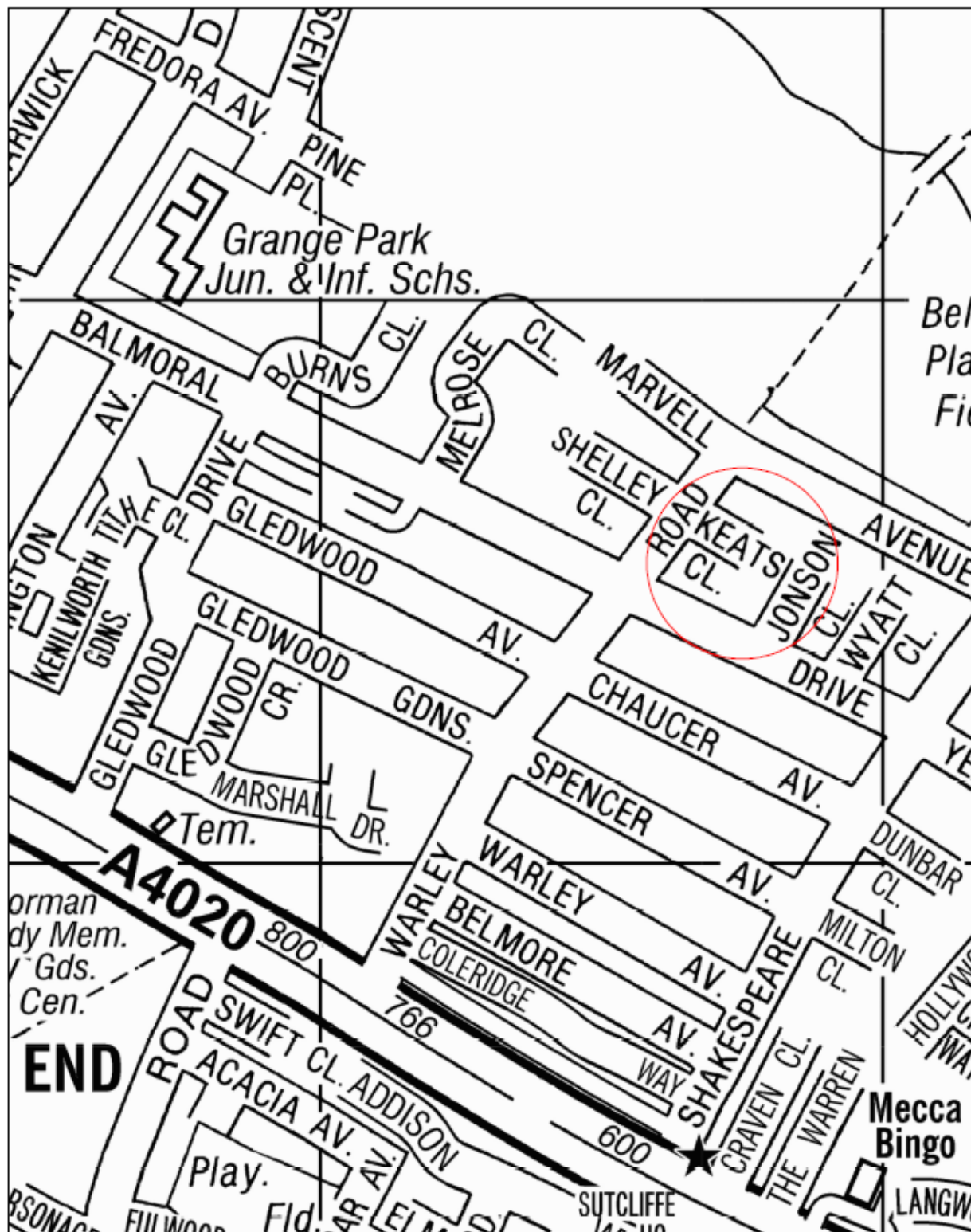
BACKGROUND PAPERS

- Traffic order
- Objection emails

TITLE OF ANY APPENDICES

Appendix A – Location Plan
Appendix B – Plan of Proposal

APPENDIX A



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○ Keats Close, Hayes

APPENDIX B - PLAN OF PROPOSAL

