

AGENDA ITEM NO 7

REPORT NO 110/19

ANGUS COUNCIL

COMMUNITIES COMMITTEE - 16 APRIL 2019

THE ANGUS COUNCIL (DISABLED PERSONS' PARKING PLACES) (STREET PARKING PLACES) (No.2) ORDER 201X

REPORT BY DIRECTOR OF INFRASTRUCTURE

ABSTRACT

This report relates to the making of a Traffic Order in respect of enforcement of new Disabled Person Parking Places.

1. RECOMMENDATION

It is recommended that the Committee notes the objection received during the publication period and approve the making of the Order as amended.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

2.1 This report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

PLACE

- Safe, secure, vibrant and sustainable communities.
- An enhanced, protected and enjoyed natural and built environment.

3. BACKGROUND

3.1 Reference is made to Article 10 (Report No. 599/10) of the minute of meeting of the Infrastructure Services Committee held on 24 August 2010 at which it was agreed to promote Traffic Regulation Orders to implement the requirements of the Disabled Persons' Parking Places (Scotland) Act 2009 and the promotion of Traffic Regulation Orders on regular basis to make mandatory all newly provided on-street advisory disabled persons parking places.

4. CURRENT POSITION

4.1 When an application is made to Angus Council by a disabled person, who is a Blue Badge holder, for the provision of an on-street disabled persons parking place the Council may provide such a parking place which, when initially provided, is considered to be advisory insofar as it is unenforceable. In order to make such advisory parking places enforceable a formal Traffic Regulation Order must be promoted.

5. CONSULTATION AND PUBLICATION

5.1 A Traffic Regulation Order has been promoted in relation to 134 advisory disabled persons parking places at various locations across the Council area.

5.2 A Notice of Proposals was published in the Courier on 25 January 2019. In response to the publication of the proposals, two objections to the proposals were received, one of which has now been withdrawn.

- 5.3 An objection was received in relation to an advisory parking place in Muirton Road, Arbroath by the adjacent householder whose concern was that the parking place would prevent him from forming a vehicular access to the property which he wished to do in the near future.
- 5.4 The Director of Infrastructure has accepted this and agreed to relocate the parking place. On that basis the objector subsequently withdrew their objection.
- 5.5 A further objection was raised in respect of advisory parking places in Clova Avenue, East Abbey Street and Dishlandtown Street, all Arbroath. The basis of the objection was that these locations have limited kerbside parking space and these disabled person parking places lie empty for long periods which is unfair to other residents. The objector also feels strongly that the in general Blue Badge scheme is abused.
- 5.6 The Director of Infrastructure intimated to the objector that if an applicant for such a bay is in possession of a valid blue badge then generally we must provide a bay for them if a suitable location can be identified and they have no other nearby parking options such as driveway. The enforcement of such bays is a council responsibility and if there is clear evidence that a bay is being abused then action can be taken to issue a penalty notice or in circumstances where the Blue Badge is abused withdrawal of the Blue Badge.
- 5.7 Edited copies of letters and emails from the objector and responses by the Director of Infrastructure (**Appendix 1**) are attached to this report.

6. FINANCIAL IMPLICATIONS

- 6.1 The cost of providing the advisory bay road markings was met from the 2018/19 Roads Revenue Budget. The estimated costs of providing the necessary associated signing is £15,500 and will be met from the 2019/2020 Roads Revenue Budget.

Additional maintenance costs will amount to £1,550 per annum and this will require to be met from future years Roads Maintenance Revenue Budgets.

7. CONSULTATION

- 7.1 The Chief Executive, Depute Chief Executive, Director of Finance, Service Leader - Legal and Democratic, and the Local Police Commander of Tayside Division were consulted in the preparation of this report.

NOTE:

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this Report:-

Report No 599/10 - Infrastructure Service Committee - 24 August 2010

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Appendix 1 - Copies of correspondence between Objector and Council