

Report subject	Disabled Parking Bay Proposals – Sealing of Traffic Order Ref P37 2023
Meeting date	6 September 2023
Status	Public Report
Executive summary	A decision is required on making and sealing the proposed Traffic Order which will amend the Bournemouth, Christchurch and Poole (Parking Regulation, On-Street Parking Places and Off-Street Parking Places) Consolidation Order 2021. This will allow us to implement new and amend existing on-street Residential Disabled Parking Bays (RDPBs). Applications are primarily received online, assessed and batched for sets of proposals periodically through the year. Statutory consultation has been carried out for this batch of proposals reference P37 2023 and recommendations for each individual site are included in Appendix 1.
Recommendations	It is RECOMMENDED that: The Traffic Order is made and sealed as per option (8)(a) of the options appraisal contained in this report.
Reason for recommendations	This will allow us to implement the restrictions outlined in Appendix 1 of this report, installing new and changing existing on-street RDPBs.
Portfolio Holder(s):	Cllr Vikki Slade, Cllr Andy Hadley, Cllr Mille Earl
Corporate Director	Jess Gibbons
Report Authors	Clare Griffiths – Senior Traffic Technician, Andy Brown – Traffic Team Leader
Wards	Alderney & Bourne Valley; Boscombe East & Pokesdown; Christchurch Town; Commons; East Cliff & Springbourne; Hamworthy; Kinson; Moordown; Muscliff & Strouden Park; Penn Hill; Redhill & Northbourne; Talbot & Branksome Woods; Wallisdown & Winton West; Winton East;
Classification	For Decision

Background

1. Residents who hold a Blue Badge for parking and meet the council's published eligibility criteria (as set out in [Officer Guidance Assessing Requests for Minor Transport Schemes V4.0 November 2021](#)) may apply for a RDPB outside their home. These can be either a general RDPB for use by all Blue Badge holders, or a permit RDPB for the exclusive use of the permit holder.
2. The proposed RDPBs recommended for implementation in Appendix 1 meet the required conditions and have successfully completed the application process.
3. All the proposed revocations of RDPBs have either been requested by the applicant or residents. Where residents have requested bays to be removed, officers have verified that such bays are no longer in use by the applicant.
4. The statutory consultation of the proposed Traffic Order has been undertaken and 29 representations have been received. These are summarised in Appendix 1. No material negative impacts have been identified in relation to the restrictions including to matters such as access to premises, amenities and use of the roads by public service vehicles.

Consultation Undertaken

5. The statutory consultation process set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 has been carried out as detailed below.
6. A 21-day public consultation opened on Friday 26 May 2023 when:
 - a) A notice was placed in the Bournemouth Daily Echo.
 - b) Notification emails were sent to all councillors and statutory consultees. The latter includes BCP Council departments; business groups; emergency services; disability organisations, public transport providers; taxi associations / operators, utility firms; and walking / cycling groups.
 - c) Street notices with consultation details were displayed in the relevant locations.
 - d) The Deposit Documents (consultation documents) were published on the council's consultation webpage.
7. The consultation outcome and recommendations are shown in Appendix 1.

Options Appraisal

8. The options are to:
 - a) Make the Order and implement the provisions as advertised (this is the preferred option and proposed decision, as set out in Appendix 1).
 - b) Amend and make the Order and implement only some of the advertised provisions/vary some of the advertised provisions to be less restrictive than advertised.
 - c) Not to make the Order.

Summary of financial implications

9. The costs associated with both the consultation of the Traffic Order and implementation of the restrictions will be covered by the income from the disabled parking bay application fees. The total cost is estimated to be approximately £10,000.

Summary of legal implications

10. In taking this decision regard has been given to the Council's duties, including those under section 122 of the Road Traffic Regulation Act 1984 as amended (RTRA), section 16 Traffic Management Act 2004 and section 149 Equality Act 2010.
11. It is considered that the Traffic Order will help secure the expeditious, convenient, and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on the highway.
12. The RTRA provides local authorities the power to make various Traffic Orders. In appropriate circumstances, sections 32 and 35 of the RTRA allow the control of parking by designating on-street parking places for vehicles displaying a Blue Badge for the purpose of relieving or preventing congestion.
13. Consultation and notice provisions as identified in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 have been carried out as detailed above. There is no need for a public inquiry to be held in relation to such an order except in certain prescribed circumstances.
14. The failure to have appropriate regard to the Council's relevant statutory duties, representations received (and not withdrawn) and to properly accord with relevant legislative provisions, could result in legal challenge.

Summary of human resources implications

15. None.

Summary of sustainability impact

16. Negligible.

Summary of public health implications

17. Positive. Improved access for people with disabilities could result in enhancements to their health and wellbeing.

Summary of equality implications

18. An equality impact assessment screening is attached as Appendix 2. In summary, the Traffic Order proposals will result in specific positive impacts for disabled people. Suitable parking facilities will be provided for residents with a disability who qualify for and hold a Blue Badge.

Summary of risk assessment

19. No material risks have been identified associated with the proposed traffic restriction changes.

Appendices

Appendix 1 – Consultation Outcome and Recommendations – Residential Disabled Parking Bays (P37 2023)

Appendix 2 - Equalities Impact Assessment Conversation Screening Tool (P37 2023)