

**Decision Maker:** Environment Portfolio Holder

**For Pre-Decision Scrutiny by the Environment PDS Committee on:**

**Date:** 23rd September 2014

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** **DISABLED PERSON PARKING BAYS AND WHITE BAR MARKINGS**

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**Chief Officer:** Nigel Davies, Executive Director of Environment & Community Services

**Ward:** All

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1. Reason for report

The report outlines the current process for implementing Disabled Person Parking Bays and white bar markings. It reviews the Council's approach and the application process. The report seeks approval for a policy of seeking to provide suitable parking places on-street, and taking measures to improve access. The report also outlines the relevant financial considerations and the implications for future budgets.

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2. **RECOMMENDATIONS**

**The Portfolio Holder is asked to agree that from 1 April 2015:**

- 2.1 **A new application process be introduced for residents requesting a Disabled Person Parking Bay;**
- 2.2 **A fee of £80 per year is charged to each resident who has a Disabled Person Parking Bay installed outside their home; and**
- 2.3 **A fee of £50 is charged to each resident applying for white bar marking outside their property, with a further £50 being charged if the application is successful and the marking is installed.**

## Corporate Policy

1. Policy Status: New Policy
  2. BBB Priority: Quality Environment; Vibrant, Thriving Town Centres
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## Financial

1. Cost of proposal: £1,000 set up costs
  2. Ongoing costs: Annual saving of £19,980
  3. Budget head/performance centre: Traffic
  4. Total current budget for this head: £73,990
  5. Source of funding: Existing revenue budget 2014/15
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## Staff

1. Number of staff (current and additional): 2
  2. If from existing staff resources, number of staff hours: 20 hours to implement the proposed changes.
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## Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Applicable:
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Currently 350 drivers will be affected by these Disabled Person Parking Bay proposals. Hundreds of requests are received for white bar markings each year.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### **3. DISABLED PERSON PARKING BAYS**

3.1 The Council considers providing parking bays for disabled Blue Badge holders, outside or near their place of residence, when a resident confirms that they hold a Blue Badge and have no off-street parking facilities. All Blue Badge applicants are examined by the Council doctor and a decision is made whether a disabled bay is required. Once a Blue Badge has been obtained, a resident can apply for a Disabled Person Parking Bay to be introduced to the highway outside their property if they meet the following criteria:

*Only disabled drivers who already have a Blue Badge issued via the national scheme will be considered, except in exceptional circumstances.*

- *Exceptional circumstances are:*
  - *the application is on behalf of a minor.*
  - *refusal of the application would cause hardship to a resident carer with a car, or the disabled person.*
- *Only applicants with no off-street parking (no garage or drive) available to them will be considered.*
- *Serious and frequent problems must be experienced in parking near the applicant's residence.*
- *Following receipt of a request for a bay, a personal visit to the applicant's home will be arranged and the engineer will investigate suitable locations for a bay on street.*
- *Applicants under 65 years of age must be receiving the higher mobility component of Disability Living Allowance.*
- *All applicants must undergo a mobility assessment (in addition to their previous Blue Badge assessment) by a Council-appointed Doctor to confirm they are unable to walk 50 metres.*
- *Consultation then takes place with neighbours about the position of the bay. If any objections are received, the Council's Environment Portfolio Holder will be informed before a decision is taken.*
- *Although the Council is responding to personal applications for bays, the bays are not allocated to individuals and can therefore be used by any Blue Badge holder.*
- *The use of the disabled parking bays will be regularly reviewed.*

3.2 The consultation process involving local residents may take up to 3 months. If objections to the proposed parking bay location are received, it will take longer to resolve. In either case the Council will endeavour to introduce bays as soon as possible after consent is given.

#### **Disabled Person Parking Bays - Traffic Management Orders**

3.3 All bays within Bromley are covered by a Traffic Management Order to allow enforcement, and bays are clearly marked on the carriageway indicating that only a Blue Badge holder can park there. The Council's parking contractor enforces compliance in such bays, although the use of each bay is not reserved for an individual and can be used by any Blue Badge holder. Whilst

the bay is implemented to help a specific resident of a street, the intention of such bays is to maintain a parking place for any bona-fide disabled badge holder to use, not just the applicant.

- 3.4 A number of other local authorities have chosen not to introduce Traffic Management Orders for any Disabled Person Parking Bays they allocate. This means that such bays are simply advisory; if a driver parks within a bay without displaying a valid Blue Badge, enforcement is not possible. This process relies on users of the road being compliant with the advisory bay markings and signs.
- 3.5 All Blue Badge holders who apply for a Disabled Person Parking Bay are subject to a medical assessment by the Council's doctor. Therefore, the traffic engineer only investigates the suitability of introducing a parking bay at a given location, rather than the applicant's medical history or Blue Badge validity. The assessment by the Council doctor looks at different criteria to that required for a Blue Badge; as a consequence some Blue Badge holders are not approved for a Disabled Person Parking Bay.

### **Existing Disabled Person Parking Bays**

- 3.6 Throughout Bromley the number of bays on-street are:
- 450 Disabled Parking bays within residential streets (At any time)
  - 85 Disabled Parking bays within Town Centres (At any time)
  - 11 Disabled Parking bays (At any time – Max stay 4 hours)
  - 51 Disabled Parking bays (At any time – Max stay 3 hours)
- 3.7 Time-limited Disabled Person Parking Bays are often located in Town Centre locations or near local shopping parades. This helps to provide a designated space where a disabled driver can park, but also encourages turnover to ensure that the bay is made available to others. These bays have therefore not been introduced at individual request but rather to provide a parking facility in the area. However the vast majority of Disabled Persons Parking Bays that are 'At any time' are installed after a request from a resident to assist with parking, and these are located across the borough in residential streets. There are approximately 350 on-street bays allocated following individual resident requests.
- 3.8 Over the years the number of Disabled Persons Parking Bays required across the borough and the costs to install, maintain and process applications for such bays have increased. The existing process and criteria have been in place for a number of years without being reviewed.

### **Application Process**

- 3.9 The current guidelines seek to ensure that applicants meet the necessary criteria when a request for a Disabled Person Parking Bay is made. Currently the process does not involve an application form - the information is gathered through the Council doctor from Occupational Health and by visiting the applicant. It is proposed to introduce a formal process for any new application for a bay. This will ensure that the Council has a better record of the information for each new Disabled Person Parking Bay, including the reason for its location and the contact details of the applicant.
- 3.10 Appendix 1 shows a proposed application form for requests for a Disabled Person Parking Bay. Such applications will also help to review bays annually and ensure any bays no longer required are removed on street to free up space for other users.

### **Medical Assessment Costs**

- 3.11 The cost of the service provided from Occupational Health to undertake the examination of Blue Badge applicants can cost up to £2,250 per annum depending on the number of

applicants referred to them. This ensures that all Blue Badge holders who apply for a Disabled Person Parking Bay will have been assessed on medical grounds.

### **Installation and Maintenance Costs**

- 3.12 Maintenance of Disabled Person Parking Bays is required. This includes refurbishment of the road markings and ensuring that signage is sufficient to ensure that enforcement can be carried out. Defects to road markings and or signs can result in the bays being unenforceable. With over 400 bays located through the borough, there is a continued cost to the Council to ensure they are compliant. Furthermore, bays often need to be removed or relocated, with costs met from the Transport & Highways revenue budget. It is estimated that the cost of refurbishment and signs is approximately £1,500 per annum. The estimated annual cost of installing new bays and the removal of redundant bays is approximately £2,600.

### **Enforcement Costs**

- 3.13 Enforcement of disabled parking bays also results in additional costs for the Council's parking enforcement contractor. Whilst bays located in Controlled Parking Zones and town centres are checked as part of the regular enforcement schedule, ad-hoc requests are often made for enforcement of Disabled Person Bays in residential streets. This can result in enforcement officers visiting a road where no other restrictions are present. This does have an impact on enforcement elsewhere, and potentially on the cost of the enforcement contract.

### **Proposed Introduction of Permits**

- 3.14 To ensure that the costs outlined above can be met, it is proposed to introduce an annual permit for all Disabled Person Parking Bays issued at the request of individuals. This would result in a Disabled Person Parking Bay allocated for a resident's use to be subject to an annual charge. The income would be used to fund the costs of the scheme, and ensure that the Council can continue to provide a suitable level of enforcement. Approximately 25-30 new Disabled Person Parking Bays are installed every year, with approximately 15-20 Bays removed, so there is a net increase of around 10 Bays per year.
- 3.15 It is proposed that a charge of £80 per annum be made for a permit allocated to the Blue Badge holder's vehicle. The permit would be in electronic format which would facilitate enforcement (there would not need to be a physical permit to display). The fee obtained from the permits would fund the continued costs associated with Disabled Person Parking Bays across the borough. Current users would be informed that in order to retain use of their Disabled Person Parking Bay they would need to pay for a permit.
- 3.16 The new permit system would be very similar to resident parking permits that operate in various locations borough wide. A resident permit bay that operates for longer than just a few hours is also priced at £80 per permit. Therefore, the proposed price of the new Disabled Person Parking Bay permit would be consistent.
- 3.17 If the annual permit is not purchased by the original user of the Disabled Person Parking Bay, consideration would need to be given to removal of the bay. The permit system would also help to highlight bays that are no longer required, so they could be removed to free up space for other users.
- 3.18 As mentioned in paragraph 3.3 above an applicant for a Disabled Person Parking Bay will not have exclusive use of the bay, just as Resident Parking Permit holders do not have exclusive use of bays in their Permit Zone.
- 3.19 The initial set up costs of introducing the electronic permit system is expected to be £1,000 and can be met from within the minor traffic management scheme budget.

- 3.20 Consultation will be carried out in advance of the scheme becoming operational, with all disability groups and other key stakeholders.

#### **4. WHITE BAR MARKINGS**

- 4.1 Residents often request waiting restrictions to protect individual driveways, and the number of such requests is increasing. Introducing these restrictions to protect individual driveways is not practical, and could lead to many more requests borough-wide. Restrictions need to be focused on areas where road safety is of concern and where the parking of vehicles needs to be managed and controlled effectively. The report considered by the Environment PDS Committee in July 2014 (ES14057) outlined the design and current process for waiting restrictions borough-wide. The report concluded that such restrictions should be focussed at junctions and certain other locations to benefit road safety. Introducing short lengths of restrictions borough-wide simply to protect drives could not be matched by the enforcement levels required (or desired by the resident). There would also be a significant cost with introducing the necessary Traffic Management Order to permit enforcement at each location where such lines are applied.
- 4.2 However, residents can in any case request an individual parking enforcement visit if a vehicle is parked across a dropped kerb outside their property. If the resident is regularly inconvenienced by vehicles parking across their dropped kerb, they can register their address giving authorisation for routine parking enforcement.
- 4.3 White bar markings are an advisory marking laid on the carriageway to indicate the presence of a driveway, an entrance to off-street premises, or where the kerb is dropped to provide a convenient crossing place for pedestrians. Such markings can also be used to advise drivers of locations where parking can create problems, and to encourage drivers to park within marked bays.
- 4.4 Although such markings are not legally enforceable, if used sparingly they can be helpful in discouraging inconsiderate parking. This is particularly the case where a problem is isolated and a Traffic Management Order (with yellow lines) could not be justified or easily enforced. White bar markings may be used to mark gaps across driveways or between separate bays.
- 4.5 If gaining access to or from a driveway or crossover becomes difficult, as yellow lines cannot be used to protect an individual driveway, residents often now request a white bar access marking. Whilst these are effective at showing the presence of a driveway, particularly in a busy street, increased requests have resulted in a large number being installed borough-wide and at times there has been an inconsistent approach to implementation.
- 4.6 In 1995 the Council agreed around 10 white bar markings per year. Over time the number of requests has dramatically increased and around 40 white bar markings are now implemented each year. Given the increased number of requests for such markings (around 80 per year) the cost is also increasing, not only in officer time to investigate each site but also in the cost of implementing the markings. Whilst there is no cost associated with signage or a TMO (as they are not required) there is a cost for the road markings and for the officer time to assess and process the request. Furthermore, as there is no legal order to enforce such markings, there are limited records to know where such markings have been implemented or why.
- 4.7 It is therefore recommended that a new approach should be taken to the implementation of such markings. This includes setting agreed criteria for such changes to allow a consistent approach borough-wide. It is proposed that white bar access markings will only be introduced to the highway where they improve the following:

- Access to public places such as churches, halls or libraries.
- Access to multiple entry points including groups of garages or similar situations where obstruction causes difficulties for deliveries or loading, including refuse collection.
- Access for individual disabled drivers who park off-street. Such markings can help to highlight such an access.
- To help highlight and improve access to a driveway or shared drive that is often obstructed as a result of high parking demand or as a result of other restrictions.
- To assist pedestrian access where vehicle parking obstruction takes place at informal crossing points and dropped kerbs.

### **Proposed Application & Implementation Costs**

- 4.8 It is recommended that any applicant requesting a white bar marking should complete an application form. Information will be provided to help the residents assess for themselves whether a white bar marking is likely to be approved.
- 4.9 The application form will give the Council information on the need for the marking and whether the necessary criteria are met. It is proposed that a fee of £50 is attached to the application form to cover the cost of assessing the site . A similar non-refundable administration fee is applicable for residents applying for the addition of a vehicle crossover. If the Council agrees that a marking should be implemented, an additional installation charge of £50 would be met by the applicant. This would help to cover the administration and implementation costs, and also the future maintenance of the road markings. Although a charge would be applied, the approach and criteria for introducing such markings would not change. If the traffic engineer does not feel that the necessary criteria are met the white bar marking would not be progressed, and the original £50 application fee would not be refunded.
- 4.10 Appendix 2 shows a proposed application form for requests for white bar markings.

## **5. POLICY IMPLICATIONS**

- 5.1 The Council's approved Local Implementation Plan (LIP) states that it is necessary for parking schemes to strike a balance between:
- The demand for parking;
  - The need to support the local economy; and
  - The need to provide for visitors generally.
- 5.2 The Council's parking approach and parking policy should therefore maximise the efficient use of on-street parking in the various roads and be of benefit to residents and users of these roads.
- 5.3 The Council's Environment Portfolio Plan 2014/17 includes the aim "Promote safe and secure travel and parking".

## 6. FINANCIAL IMPLICATIONS

- 6.1 This report is requesting approval to introduce, and charge for, Disabled Person Parking Bay permits; and to introduce a charge for the application and implementation of white bar markings outside residential properties with effect from 1<sup>st</sup> April 2015.
- 6.2 There will be an initial set up cost of £1,000 for preparing the electronic permit system. This can be met from within the minor traffic management scheme budget.
- 6.3 The table below shows that the income generated from the new charges should fully cover all of the associated revenue costs and deliver a revenue saving of £20k:

Impact of proposals	Original Budget 2015/16 £	Proposed Budget 2015/16 £	Net Savings 2015/16 £
<b>Disabled Person Parking Bays (DPPB)</b>			
Traffic staff costs	10,640	10,640	0
Occupational Health costs	2,250	2,250	0
Staff administration costs	0	3,520	3,520
Maintenance, installation & removal of on street DPP Bays	0	4,120	4,120
Traffic management orders & credit card charges	0	5,000	5,000
Estimated income from DPPB permits	0	-28,000	-28,000
<b>Net controllable budget</b>	<b>12,890</b>	<b>-2,470</b>	<b>-15,360</b>
Recharges	1,990	2,470	480
<b>Net cost of DPPB's</b>	<b>14,880</b>	<b>0</b>	<b>-14,880</b>
<b>White Bar Markings</b>			
Traffic staff costs	4,450	4,450	0
Implementation cost of road markings	0	400	400
Income from application fees	0	-3,500	-3,500
Income from implementation fees	0	-2,000	-2,000
<b>Net controllable budget</b>	<b>4,450</b>	<b>-650</b>	<b>-5,100</b>
Recharges	650	650	0
<b>Net cost of white bar markings</b>	<b>5,100</b>	<b>0</b>	<b>-5,100</b>
<b>Total net cost of both DPPB's &amp; WBM's</b>	<b>19,980</b>	<b>0</b>	<b>-19,980</b>

- 6.4 As can be seen from the table above, there is no current budget for the operational costs. These have been met by one-off savings generated by part vacancies/secondment of staff for the last two years.

## 7. LEGAL IMPLICATIONS

- 7.1 Any new Disabled Person Parking Bay is subject to consultation, and the necessary Traffic Management Order is advertised prior to any changes. Any objections are duly reported for consideration. All key stakeholders will be consulted and informed in advance of the changes planned from April 2015.

<b>Non-Applicable Sections:</b>	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Parking Control Policy – ES14057 (July 2014)  Guidelines on the installation of White Bar markings on the carriageway – ES95297 (May 1995)