

Decision Maker: Environment Portfolio Holder

For Pre-Decision Scrutiny by the Environment PDS Committee on

Date: 7 June 2016

Decision Type: Non-Urgent Executive Non-Key

Title: **DISABLED PERSON PARKING BAY PERMITS AND WHITE BAR MARKING UPDATE**

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

Ward: All

1. Reason for report

The report outlines the consultation carried out on Disabled Person Parking Bays and the proposal to introduce a Disabled Person Parking Bay permit. The report also considers the white bar scheme that was implemented and progressed over the last year. Following public consultation it is recommended to proceed with a revised Disabled Parking Bay Permit scheme, whereby blue badge holders that have had a disabled parking bay provided on street have the option of an exclusive parking permit rather than this being compulsory as previously proposed. The report also outlines the relevant history, previous consultation results and the financial considerations and implications for future budgets. The report sets out the Equality Impact Assessment that has been developed with the process.

2. **RECOMMENDATION(S)**

The Environment Portfolio Holder approves:

- 2.1 **A fee of £80 is charged to each resident who has a Disabled Person Parking Bay installed outside their home from October 2016; and**
- 2.2 **An annual fee of £80 is charged for any blue badge holder that wishes for a Disabled Person Permit Parking Bay Permit that would allow exclusive use of the parking bay allocated for the individual blue badge holder only.**
- 2.3 **The white bar marking scheme to continue in its existing format and the installation fee to remain.**

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: £1k set up costs, potential net overspend of £7k
 2. Ongoing costs: N/A as already built into budget
 3. Budget head/performance centre: Traffic
 4. Total current budget for this head: £7,740 and £12,690
 5. Source of funding: Existing Revenue Budget 2016/2017
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Staff

1. Number of staff (current and additional): 2
 2. If from existing staff resources, number of staff hours: 20 additional hours
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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 consulted regarding the proposed permit proposal. 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. COMMENTARY

- 3.1 The Council will consider 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.
- 3.2 Currently no parking bays on street allocated to blue badge holders provide exclusive or individual use. Each bay can be used by any blue badge holder. As a result, the Council often receives complaints and concerns that individual bays that have been installed at a particular request and have been passed through the set criteria, are then used by other blue badge holders.
- 3.3 Following the report ESD 14068 agreed in September 2014, a detailed review of the disabled person parking bay application process was carried out. This included updating the list of all disabled bays borough wide with the properties and blue badge holders each bay was allocated to. Following the report being agreed in September 2014, each blue badge holder with a bay allocated on street was informed of the Council's intention to introduce a new disabled permit scheme, which would allow blue badge holders to have the bays installed on street for their use, to be issued with a permit. This would help assist blue badge holders and give more opportunity to park outside of their place of residence.
- 3.4 However, during the consultation process a number of blue badge holders with bays on street outlined concerns regarding the compulsory permit and new charge. Whilst it was noted that a number of blue badge holders were keen on the option of a disabled parking bay permit being implemented, some existing blue badge holders were content with the existing arrangement on street, that allows any blue badge holder to park within the allocated bay.
- 3.5 Consultation was also carried out with other key stake holders, including Bromley Mobility Forum, Bromley Talking Newspaper, Kent Association of the Blind, Bromley Experts by Experience (X by X) and Disabled Motoring UK. Concerns were also raised regarding the compulsory charge and permits for disabled bays on street allocated at an individual resident's request.
- 3.6 Consequently, following the review and feedback, it is recommended to amend the proposed permit scheme.

Disabled Person Parking Bays - Traffic Management Orders & Permits

- 3.7 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 Disabled drivers can park there. The Council's parking contractor enforces compliance in such bays, although the current use of each bay is not reserved for an individual and can be used by any Blue Badge holder.
- 3.8 However, the new scheme would give Blue Badge holders the option of a bay installed on street for that particular blue badge holders use (providing they met the agreed criteria), by being allocated as a permit bay. This would allow only the permit holder to use the bay.
- 3.9 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. However, all bays allocated on street across Bromley would still be subject to a Traffic Management Order and would either be allocated for all blue badge holders to use, or for a specific permit holder.
- 3.10 Following a review, the existing disabled parking bay process would remain with all Blue Badge holders who apply for a Disabled Person Parking Bay being subject to a medical assessment by the

Council's doctor. However, a new application form will be issued to residents at the start of the proposed new process and will provide the option that would allow the bay to be allocated as a permit bay. The traffic engineer would continue to investigate 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 on street.

Existing Disabled Person Parking Bays

- 3.11 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 had been in place for a number of years without being reviewed and following approval for a review of the scheme in September 2014, a number of changes and improvements have been made to the processes. The consultation with residents on the disabled permit proposal has helped to identify a number of redundant bays that are no longer in use borough wide. This has helped to provide additional on street parking spaces and to ensure that the on street parking arrangement remains as effective as possible. The review has also helped to provide updated information and lists on existing blue badge holders that have a bay allocated on street and a new annual review of disabled bays will help to further identify any bays no longer in use.

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 was estimated in the September 2014 report that the cost of refurbishment and signs was approximately £1,500 per annum. The estimated annual cost of installing new bays and the removal of redundant bays is approximately £2,600.
- 3.13 Consequently, following the consultation and review it is now recommend that any new disabled person parking bay should also be subject to a one off implementation cost of £80. This will cover the installation costs required to install the bay. The blue badge holder will then have the option of the bay being allocated as a permit bay, allowing individual use at a cost of £80 per annum.

Proposed Introduction of Permits

- 3.14 To assist disabled drivers with a bay allocated on street, it is proposed to introduce an annual permit for Disabled Person Parking Bays issued at the request of individual Blue Badge holders with a bay agreed on street. 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.
- 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, the bay would remain open for use by all Blue Badge holders (the current arrangement). The permit system and new annual review 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 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.
- 3.19 Following the original consultation carried out in April 2015, an additional new consultation will be carried out in advance of the scheme becoming operational, with all disability groups and other key stakeholders. Blue Badge holders will be presented with the option of an exclusive permit bay. This will be a choice and option to Blue Badge holders with a bay allocated on street and no changes will be made if the Blue Badge holder wishes for the bay to remain in the current format. Those who indicate they wish for the bay to be amended to a permit bay will be contacted individually to arrange the necessary amendments and permit cost.

Equality Impact Assessment and further consultation

- 3.20 Following the original consultation with blue badge holders in April 2015 on the proposal to introduce a Disabled Person Parking Permit, an Equality Impact Assessment (EIA) was produced. The EIA is designed to ensure that the agreed policy from September 2014 (ESD14068) does not discriminate against any disadvantaged or vulnerable people. The EIA is an evolving report and assessment that outlines the history of the scheme and the consultations that have been carried out so far. Blue Badge holders will subsequently be given the option of bays remaining in the existing format (no charge – open to all blue badge holders) or given the choice of the introduction of a Disabled Parking Bay Permit (exclusive use). The additional consultation and comments received will be fed into the EIA and any concerns or risks will be identified and addressed. A copy of the current EIA is shown in Appendix A of the report. Following further consultation and agreement by residents that wish to proceed with a permit, the changes will be made via a delegated authority report.

4. WHITE BAR MARKINGS – HISTORY & SCHEME UPDATE

- 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 September 2014 (ES14068) outlined the proposal to introduce a charging process for new white line markings.
- 4.2 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. 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 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.

New Scheme Progress & Implementation Costs

- 4.4 Following approval in September 2014, any applicant wishing to request a white bar marking was able to complete an application form online. Information is provided to help the residents assess for themselves whether a white bar marking is likely to be approved.
- 4.5 If the Council agrees that a marking should be implemented, an installation charge of £50 is now met by the applicant. This has helped to cover the administration and implementation costs, and also the future maintenance of the road markings. Although a charge has been applied, the approach and criteria for introducing such markings has not changed. If the traffic engineer does not feel that the necessary criteria are met the white bar marking would not be progressed, and the £50 fee is refunded.
- 4.6 Following full implementation of the scheme in March 2015, 86 white bar markings have been installed. The income received for the first year was £5,500. Whilst the number of application received has been higher than expected, the original projections were on an installation cost of £100.
- 4.7 Following the success of the white bar scheme, it is recommended that the scheme continues in the same format. Following the review of the services offered by the Traffic Engineering team, additional information is also being added online to provide drivers with more information on parking issues and enforcement.

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 2016/19 includes the aim to "Ensure that parking is readily available across the Borough especially near town centres, local shopping parades, railway stations and hospitals and that it balances the needs of residents, visitors and commuters".

6. FINANCIAL IMPLICATIONS

- 6.1 Following the outcome of the detailed consultation that was carried out, approval is sought to introduce a one-off charge of £80 to each resident who has a Disabled Person Parking Bay installed outside their home from October 2016.
- 6.2 Approval is also sought to introduce a charge of £80 for an annual permit for any blue badge holder that wishes to have exclusive use of an allocated parking bay.
- 6.3 The initial set up costs of introducing the electronic permit system is expected to be £1k and can be met from the minor traffic management scheme budget of £7,740.

6.4 The table below summarises the financial position: -

	Budget 2016/17	Part Year 2016/17	Variance	Budget 2017/18	Full Year 2017/18	Variance
	£	£	£	£	£	£
Disabled Person Parking Bays (DPPB)						
Staff costs	11,090	11,090	0	11,090	11,090	0
Occupational Health costs	2,250	2,250	0	2,250	2,250	0
Maintenance of existing on street DPP Bays	4,120	4,120	0	4,120	4,120	0
Traffic management orders	5,000	5,000	0	5,000	5,000	0
Net cost of the removal & implementation of DPPB's	2,620	2,620	0	2,620	2,620	0
Estimated income from DPPB charges	-14,000	-7,000	7,000	-14,000	-14,000	0
Net controllable cost of DPPB's	11,080	18,080	7,000	11,080	11,080	0
Recharges	1,610	1,610	0	1,610	1,610	0
Total Net Cost of DPPB's	12,690	19,690	7,000	12,690	12,690	0
White Bar Markings						
Staff time (0.11fte plus associated costs)	2,990	2,990	0	2,990	2,990	0
Implementation cost of road markings	860	860	0	860	860	0
Income from application fees	-4,300	-4,300	0	-4,300	-4,300	0
Net controllable cost of white bar markings	-450	-450	0	-450	-450	0
Recharges	450	450	0	450	450	0
Total Net Cost of white bar markings	0	0	0	0	0	0
Total net cost of both DPPB's & WBM's	12,690	19,690	7,000	12,690	12,690	0

6.5 The table shows that there will be a net deficit of £7k compared to budget. This can be offset by savings in staffing from part year vacant posts.

6.6 It should be noted that the estimated income from the new charges is not expected to fully offset the costs of the disabled bay service. This is partly due to the costs of maintaining existing disabled bays that have been introduced prior to October 2016 and the abortive costs relating to assessments that do not meet the required criteria.

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 being made on street. Any objections are duly reported for consideration. All key stakeholders are consulted and informed in advance of the changes to be implemented.

7.2 An active Equality Impact Assessment (EIA) has been produced and will continue to be updated through the consultation and implementation process of the scheme.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Guidelines on the installation of White bar markings on the carriageway – ES95297 (May 1995) Parking Control Policy – ES14057 (July 2014) Disabled person parking bays and white bar markings – ES14068 (September 2014)