

**Decision maker:** Cabinet Member for Traffic & Transportation  
**Date:** 20<sup>th</sup> December 2012

**Subject:** Traffic Regulation Order:  
The Portsmouth City Council (Various Roads) (Disabled  
Persons' Parking Places) (Amendments) (No.41) Order 2012

**Report by:** Head of Transport and Environment

**Wards affected:** All

**Key decision (over £250k):** No  
**Budget & policy framework decision:** No

**1. Purpose of report**

To consider the responses to the formal public consultation of this order, which is a statutory requirement whenever comments are received about proposals.

**2. Recommendations**

**That the order is made as advertised.**

**3. Background**

The order is required to install disabled bays on behalf of qualifying residents, with the aim of improving their quality of life. Following the introduction of a Traffic Regulation Order the parking facilities become enforceable by the council's Civil Enforcement Officers to prevent abuse by non-disabled drivers.

See Page 4 for the proposals advertised via public notice between 5<sup>th</sup> and 26<sup>th</sup> November 2012.

**4. Reasons for recommendations**

The formal consultation received a comment on one proposed disabled bay (details below). The remaining bays have received no objections: the applicants, who have qualified under the criteria assessment, await the completion of the statutory legal process.

| <u>OBJECTION</u>   | <u>OFFICER COMMENTS</u>  |
|--|--|
| <p><b>High Street, Outside No 69</b></p> <p>Objection from resident of High Street:</p> <p>Supported the idea of a bay but considered the position to be unsuitable due to it being on a bend and not useful for disabled people visiting Square Tower/Cathedral.</p> <p>In a follow up comment the resident also expressed concern about vehicles parking on double yellow lines and what would happen when the bay was no longer required by the resident as they felt it would not be removed, was also concerned at the potential number of disabled bays that might be introduced as a result and was concerned it would set a precedent.</p> | <p>The parking bay is to be provided for the benefit of the resident at No.69 and not for general public use, although any blue badge holder can park there.</p> <p>The bay would be located completely outside No 69 in place of a section of pay and display bay which will not cause any road safety issues as it is already a parking place. If, in the future, the bay is no longer required then the bay will be removed. Only applications from residents who meet the criteria for a disabled bay will be approved which requires the issue of a Blue Badge in the first instance.</p> |

**5. Equality impact assessment (EIA)**

This report has undergone an effective equality impact assessment and there are no equality issues arising from this report.

**6. Head of Legal Services' comments**

**6.1** Traffic Regulation Orders (TROs) can be made for a number of reasons, including avoiding danger to persons or other traffic using the road, for preventing damage to the road or any building on or near the road, for facilitating the passage on the road of traffic (including pedestrians) or preserving or improving the amenities of the area through which the road runs.

**6.2** A TRO may include provisions prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles. A TRO may also make a provision prohibiting, restricting or regulating the use of a road or any part of the width of a road by vehicular traffic of a particular class specified in the order subject to such exceptions as may be so specified or determined, either at all times or at times, on days or during periods so specified.

**6.3** A proposed TRO must be advertised and the public given a 3- week consultation period where members of the public can register their support or objections. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order,

taking into account the comments received from the public during the consultation period.

6.4 The City Council has a duty to provide sufficient disabled bays around the City to meet the needs of disabled people.

**7. Head of Finance’s comments**

The advertising and changes to parking restrictions contained within this order are to be funded from the existing on street parking revenue budget.

This can be broken down as follows:

- Advertising proposals in The News £ 1772 (£886 x 2)
- Advertising proposals on-street furniture £ 94
- On-street line marking £ 1169 (£53.18 x 22)
- On-street line removal £ 290 (£26.39 x 11)
- Signage (11 new, 11 reused) £ 154 (£14 x 11)
- Total £ 3479**

There will be no additional on-going enforcement costs as result of the changes in this Traffic Regulation Order.

A commuted sum is not applicable here as the maintenance and installation of disabled bays are not part of the PFI Highways maintenance contract.

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Head of Transport and Environment

**Background list of documents: Section 100D of the Local Government Act 1972**  
The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

| Title of document | Location                                |
|-------------------|---|
| 1) 1 email        | Parking Office, Alec Rose Lane, PO1 2BX |
|                   |   |

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Cabinet Member for Traffic and Transportation

## Public Consultation Notice for TRO 41/12

### The Portsmouth City Council (Various Roads) (Disabled Persons' Parking Places and Amendments) (No. 41) Order 2012

Notice is hereby given that the Portsmouth City Council proposes to make the above Order under Sections 1 – 4 of the Road Traffic Regulation Act 1984. The effect would be as follows:

To install enforceable 24-hour disabled bays for qualifying residents.

The bays would be available for use by Blue Badge holders only. The Blue Badge or relevant permit issued by the council must be displayed in the windscreen of the vehicle at all times when using the bay.

#### A) DISABLED PERSONS' PARKING BAYS

|  |  |
|--|--|
| Angerstein Road (outside no.48)                            | Chestnut Avenue (outside no. 17)             |
| Chestnut Avenue (outside no. 23)                           | Deerhurst Crescent (outside no. 13)          |
| Harleston Road (outside no. 13)                            | Harwich Road (outside no.9)                  |
| Hayling Avenue (outside no. 109)                           | High Street, Old Portsmouth (outside no. 69) |
| Hillsley Road (in lay by outside block 1-4 Trinidad House) |  |
| Hillsley Road (outside no.129)                             | Jenkins Grove (outside no.56)                |
| Lowestoft Road (outside no.10)                             | Percival Road (outside no.53)                |
| Powerscourt Road (outside no.68b)                          | Pretoria Road (outside no.20)                |
| St Chad's Avenue (outside no.65)                           | St Chad's Avenue (outside no.82)             |
| Stamshaw Road (outside no.101)                             | Stirling Street (outside no.1)               |
| Teignmouth Road (outside no.2)                             | Velder Avenue (outside no.13)                |
| Wesley Grove (outside no. 42)                              |  |

#### B) REMOVAL OF REDUNDANT DISABLED BAYS

|                                 |                                       |
|---------------------------------|---------------------------------------|
| Daulston Road (outside no.63)   | Devonshire Avenue (outside no.152)    |
| Ebery Grove (outside no.43)     | Havant Road, North End (outside no.5) |
| Kendall Avenue (outside no. 41) | Kensington Road (outside no.75)       |
| Landguard Road (outside no.63)  | Meon Road (outside no.99)             |
| Nelson Avenue (outside no. 96)  | Newcome Road (outside no.118)         |
| Stride Avenue (outside no.24)   |                                       |

#### C) REASONS FOR THE ORDER

To install disabled bays for qualifying residents, to be enforced by the city council's Civil Enforcement Officers. The aim is to allow these parking bays to be used by the intended residents and reduce the potential for their abuse by non-authorized drivers.

A copy of the draft Order may be examined at the Information Desk, Ground Floor, Civic Offices, Portsmouth during normal office hours.

Persons wishing either to object to or support these proposals may do so by sending their representations in writing to Nikki Musson, Transport and Environment, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, or via email to [engineers@portsmouthcc.gov.uk](mailto:engineers@portsmouthcc.gov.uk) quoting ref: **TRO 41/2012** by **26<sup>th</sup> November 2012** stating the grounds of objection/support.

Under the provisions of the Local Government (Access to Information) Act 1985, any letters of representation, which are received, may be open to inspection by members of the public.

SIMON MOON, Head of Transport and Environment  
Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE

**Dated: 5<sup>th</sup> November 2012**