

Title of meeting: Cabinet Member for Traffic and Transportation Decision Meeting

Date of meeting: 24 February 2022

Subject: TRO 152B/2021: Various Roads - Disabled Parking Places and Amendments

Report by: Tristan Samuels, Director of Regeneration

Wards affected: Eastney & Craneswater

Key Decision: No

Full Council decision: No

1. Purpose of report

- 1.1.** To consider the public response to the proposed disabled bays in locations in Portsmouth.

In this report, TRO means traffic regulation order.

Appendix A: The public proposal notice for TRO 152/2021

Appendix B: Public views submitted

Appendix C: Confirmation of communications (statutory and non-statutory)

2. Recommendations

In relation to the proposals promoted under TRO 152B/2021, it is recommended that:

- 2.1** The Disabled Persons' Parking Bay in Alhambra Road (outside No 22) is implemented;
- 2.2** It is noted that the remainder of TRO 152/2021 is coming into operation under TRO 152A/2021 on 21 February 2022, due to no objections being received to those proposals. Therefore, any proposal approved following this report will be brought into operation under TRO 152B/2021.
- 2.3** It is also noted that the Disabled Bay in Glenthorne Road is no longer required and has been removed from the TRO.

3. Background



- 3.1** Disabled parking bays are installed in residential areas to assist blue badge holders to park close to their homes and thereby reduce the distance they have to walk after parking their car. The bays are advertised following applications from individual blue badge holders. TRO 152/2021 advertised the installation of 29 disabled parking bays.
- 3.2** In order for a disabled parking bay to be considered, the applicant has to hold a valid Blue Badge, a vehicle has to be registered to the address, they must not have any usable off-street parking and parking in the area should be an issue.
- 4. Consultation and notification**
- 4.1** Statutory 21-day consultation and notification under TRO 152/2021 took place 20 December 2021 - 10 January 2022.
- 4.2** Under statutory consultation, statutory bodies (police, fire & rescue, utilities companies etc.) are directly consulted on the Council's formal proposals and the public has a right to object. The Council has a statutory obligation to consider any objections received (see paragraph 8.3), although any comments received are given due consideration. Appendix B contains the full representations received in response to the proposals.
- 4.3** In addition to the legal requirement of publishing the proposal notice in a local newspaper, the proposal notice was published on the Council's website, yellow copies were displayed at affected locations and copies were posted to adjacent residential properties to raise awareness.
- 4.4** Appendix C confirms the communication steps undertaken (statutory and non-statutory), for reference purposes.
- 5. Consultation response**
- 5.1** 3 representations were received overall. Two objections were received to the proposals for Alhambra Road and one objection was received for Glenthorne Road.
- 6. Reasons for the recommendations**
- 6.1.1** Alhambra Road, Eastney & Craneswater: An application for a disabled bay was received from a blue badge holder who lives on the eastern side of Alhambra Road. Immediately outside where they live there are double yellow lines and parking therefore takes place on the opposite western side of the road. Alhambra Road is included within the MF Craneswater residents parking scheme.
- 6.1.2** An objection has been received from the managing agent for the properties where the bay has been advertised to be located outside. They are objecting on the grounds that parking in the road is already extremely difficult and they regularly require servicing visits to the units, which will mean that the space outside the property will become unusable to anyone attending. They also state that the applicant has 3 vehicles and a garage space available to them.



- 6.1.3** A second objection from a resident was received suggesting that the bay was not for the applicant, but another family member and that the applicant had use of 3 vehicles and a garage.
- 6.1.4** An enquiry to the relevant Housing Office has confirmed that the applicant does not lease any of the garages at the rear of the property. Owning multiple vehicles does not preclude a disabled parking bay being installed.
- 6.1.5** The location for the bay was recommended as it is the closest parking location for the applicant when exiting their property and thereby reducing the distance they have to walk after parking their vehicle. Blue badges are issued to applicants who have an enduring and substantial disability which causes them, during the course of a journey, to be unable to walk or experience very considerable difficulty whilst walking.
- 6.1.6** The objection relating to the numerous service visits to the property has been considered, however there is no guarantee that any vehicle attending the units would be able to park immediately outside and as with any other resident in the road who requires visits, they will have to look for an available parking space which may or may not be in the same road.
- 6.2** **Glenthorne Road** - The disabled bay in Glenthorne Road is no longer required so the objection against that specific disabled bay is not considered as part of this report and the bay has been removed from the TRO.

7. Integrated Impact Assessment

- 7.1** An integrated impact assessment has been completed and is published alongside this report.

8. Legal Implications

- 8.1** It is the duty of a local authority to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:
- (a) securing the expeditious movement of traffic on the authority's road network; and
 - (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
- 8.2** Local authorities have a duty to take account of the needs of all road users, take action to minimise, prevent or deal with congestion problems, and consider the implications of decisions for both their network and those of others.
- 8.3** A proposed TRO must be advertised and the statutory consultees notified and given a 3-week period (21 days) in which to register any support or objections. Members of the public also have a right to object during that period. 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 any objections received from the public and/or the statutory consultees during the consultation period.



9. Director of Finance's comments

- 9.1** The costs of works to implement the disabled bay (including the TRO) is estimated to be less than £400 and will be met from the On-Street Parking budget.

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Signed by:
Tristan Samuels
Director of Regeneration

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
2 emails and 1 letter in response to the published proposals under TRO 152/2021	1. Portsmouth City Council's "TROteam" inbox, Microsoft Outlook 2. Parking team's online storage (content reproduced within the report; anonymised)

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

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Signed by:
Cabinet Member for Traffic and Transportation

Appendix A: The public proposal notice for TRO 152/2021

THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (DISABLED PERSONS' PARKING PLACES AND AMENDMENTS) (NO. 152) ORDER 2021

20 December 2021: Notice is hereby given that Portsmouth City Council proposes to make the above Order under sections 32, 35 and 36 of the Road Traffic Regulation Act 1984, as amended, the Traffic Management Act 2004, the Civil Enforcement of Parking Contraventions (England) General Regulations 2007, and of all other enabling powers, and in accordance with Parts III and IV of schedule 9 to the 1984 Act, to install enforceable disabled bays for qualifying residents.

A) DISABLED PERSONS' PARKING BAYS (MINIMUM 5-METRE LENGTH)

Only vehicles displaying a Blue Badge or relevant permit issued by the Council may park at these locations:

Alhambra Road (outside no. 22)

Allaway Avenue (outside block 68-70a)

Ariel Road (outside nos. 20/22)

Balfour Road (outside no. 38)

Bath Road (outside nos. 62/64)

Beresford Road (outside no. 29)

Chesterfield Road (outside no. 102)

Copythorn Road (outside no. 40)

Crofton Road, Milton (outside no. 69)

Emsworth Road (outside no. 36)

Glenthorne Road (outside no. 11)

Graham Road (outside no. 2)

Kensington Road (outside nos. 71 & 111)

Kimbolton Road (outside nos. 12 & 23)

Laburnum Grove (outside nos. 242/244)

Lynn Road (outside no. 39)

Newcomen Road (outside nos. 6/8)

Northern Parade (outside nos. 131-135)

Priory Crescent (outside no. 2)

Redcar Avenue (outside no. 37)

Stride Avenue (outside no. 86)

Suffolk Road (outside no. 80)

Tokar Street (alongside no. 75 Adair Road)

Victoria Street (outside block 1-9 Victoria Court)

Wadham Road (Alongside flats 2-5, 247

London Road)

Walden Road (outside nos. 80/82)

Wisborough Road (outside no. 2)

B) REMOVAL OF DISABLED PERSONS' PARKING BAYS (NO LONGER REQUIRED)

Cornwall Road (outside Block 33-39)

Morley Road (outside no. 21)

To view this public notice or the draft order on Portsmouth City Council's website, visit www.portsmouth.gov.uk and search 'traffic regulation orders 2021'. For those without access to a computer, a printed copy of the draft order including the statement of reasons can be requested by calling 023 9268 8338.



Persons wishing to object to these proposals may do so by sending their representations via email to **TROteam@portsmouthcc.gov.uk** or by post to Tululah Gordon-Hall, Parking team, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref **TRO 152/2021** by **10 January 2022** stating the grounds of objection, and name and address details.

Under the provisions of the Local Government (Access to Information) Act 1985, any written representations that are received may be open to inspection by members of the public. If the proposals require a decision to be made at a public meeting, representations are anonymised in accordance with data protection law and included in the published report. Please see the Council's website for full details of the [Data Protection privacy notice](#).

Pam Turton, Assistant Director of Regeneration (Transport)
Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2NE

Appendix B: Public views

Alhambra Road: Objections to proposed Disabled Bay

1. Managing Agent of Properties, Alhambra Road

I am the managing agent for flats at 20 and 22 Alhambra Road working on behalf of the Landlord. I have managed these flat for forty years and I am very familiar with the area and the tenants in out two buildings.

The two buildings comprise eighteen residential units Plus two cleaners operating units. (Twenty Units)

I wish to strongly object to the proposal to take one parking space and mark it as disabled.

Parking in Alhambra Road is already extremely difficult, and I understand that the applicant has three vehicles and already has a garage space associated with their flat opposite 22 Alhambra Road.

With this in mind please consider the extreme difficulties that we experience on a day to day basis in properly servicing our own twenty units within numbers 20/22 Alhambra Road. To mark one bay as disabled will effectively put it out of use for all time that is marked as such, whether or not there is a vehicle using it at the time.

From January 1st 2021 to December 31st 2021, a typical year, we required access for our servicing personnel all of whom require transport to carry tools and fittings etc on no fewer than 492 visits.

This comprised:-

EPC Surveyors 18 visits
Electrical Certification 18 visits
Gas Engineers 10 visits
Painter (Permanent) 300 visits Alarm Engineers 6 visits
Emergency Lighting Engineers 6 visits
Pest Control 6 visits
Weekly Cleaner 50 visits
Carpet Fitters (with large truck) 6 visits
Blind Fitters (With van) 6 visits
Waste Removal (With large Vehicle) 16 Visits (Costing £ 3,800)
Weekly Inspection(Rent and account maintenance) 50
Plus builders and maintenance teams. (Unknown)

Alhambra Road is the most difficult to service efficiently and we feel that further investigation into the circumstances is required. It is not fair nor is it justifiable to removed one space immediately outside our building when we rely on it much, for a person who already has a garage attached to their accommodation



I attach some photographic evidence of the issue involving waste, (Often not even ours) just dumped on our door step, pest control issues, and general maintenance of the exterior and interior of the property.

2. Resident, Alhambra Road

I would like to object to a disabled parking place, to be put right outside of where I live. Reasons are:- the road, Alhambra Road, is bad enough for parking all the time as you are probably aware. The person who is asking for a disabled bay is not for himself but his ex-wife, "common law wife" who can easily walk to the shop around the corner. He has 3 cars, and a garage, and it seems unfair he should ask for a disabled spot on this road. I have to pay £30.00 a year to park on this road, and he is taking up room, on the road with 3 cars. It's unfair for other residents with cars too. The gentleman's common law wife can walk to the shops, so it's not as if she can't walk 15 yards to the garage from where they live to get in a car. Not only this but our landlord needs constant access to this property, as work people need to park close by for house maintenance, so a disabled bay right outside 22 Alhambra would make things very awkward for him too. One car in one garage should be sufficient, not 2 other vehicles as well taking up space on the road.

(End of report)