



Title of meeting:	Cabinet Member for Traffic and Transportation Decision Meeting
Date of meeting:	19 January 2023
Subject:	TRO 166B/2022: Apsley Road - Disabled Persons Parking Places
Report by:	Tristan Samuels, Director of Regeneration
Report Author:	Denise Bastow, Parking Office Manager
Wards affected:	Milton
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1.** To consider the public response to the proposed disabled bay in Apsley Road, Portsmouth.

In this report, TRO means traffic regulation order.

Appendix A: The public proposal notice for TRO 166/2022

Appendix B: Public views submitted

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

Appendix D: Integrated Impact Assessment

2. Recommendations

In relation to the proposal promoted under TRO 166B/2022, it is recommended that the Cabinet Member for Traffic & Transportation:

- 2.1 Approves the implementation of the Disabled Persons' Parking Bay in Apsley Road (alongside Charles Clark House);**
- 2.2 Notes that the remainder of TRO 166/2022 came into operation under TRO 166A/2022 on 8 November 2022, due to no objections being received to those proposals. Therefore, any proposal approved following this report will be brought into operation under TRO 166B/2022.**

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 166/2022 advertised the installation of 53 disabled parking bays at various locations across Portsmouth.

3.2 In order for a disabled parking bay to be considered, the applicant:

- has to hold a valid Blue Badge,
- have a vehicle registered to the address,
- must not have any usable off-street parking and;
- there should be pressure on parking in the area.

4. Consultation and notification

4.1 Statutory 21-day consultation and notification under TRO 166/2022 took place between 12 September 2022 - 3 October 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 of this report), and any comments received are given due consideration. Appendix B contains the full text of the representation received in response to the proposal, but has been anonymised.

4.3 The legal requirement is to publish the proposal notice in a local newspaper - this notice was published in The News. The proposal notice was also published on the Council's website and yellow copies were displayed at affected locations.

4.4 Appendix C confirms the communication steps undertaken (statutory and non-statutory), for reference purposes.

5. Consultation response

5.1 One representation was received objecting to the installation of the disabled bay in Apsley Road. The full content of the objection (anonymised) is in Appendix B of this report.

6. Reasons for recommendations

6.1 **Apsley Road, Milton:** An application for a disabled bay was received from a blue badge holder who lives in Charles Clark House on the eastern side of Apsley Road. Apsley Road is part of the GB Alverstone Road residents parking zone (RPZ), and on the western side of the road there is also a single yellow line that operates during football matchdays only. There are four disabled bays currently in Apsley Road, three of which are alongside Charles Clark House; there is parking space alongside Charles Clark House for five vehicles, and therefore the installation of this bay in that location will still leave space available

for another vehicle and will not encroach across any other properties in Apsley Road.

- 6.2** The resident who has objected to the bay is concerned at the number of disabled bays already in Apsley Road and the installation of a further disabled bay in the road would reduce the parking available for other permit holding residents, especially on football matchdays, when they also cannot park on the western side of the road.
- 6.3** The resident has suggested that the garden area outside the front of Charles Clark House could be converted into parking spaces and that in theory the whole eastern side of Apsley Road could become disabled parking bays and the Council should liaise with B&Q to allow permit holders to park in their car park on matchdays.
- 6.4** The garden area outside Charles Clark House and the car park outside B&Q are both privately owned and the Council have no jurisdiction over either location. The matchday parking restrictions in Apsley Road have been in place since 2008 and on the days these operate, residents who live in the recently extended part of the GB zone (including Apsley Road) are able to utilise any parking bays in the GB zone, except for those subject to the matchday restrictions. In addition, on Priory Crescent (Milton Park side) these parking bays have a limited waiting period of three hours but with an exemption for GB permit holders. This increases the number of parking places that GB permit holders can utilise, especially on matchdays. The resident objecting to the bay was advised of the alternatives, but confirmed they still wished to continue with their objection.
- 6.5** The installation of a disabled bay in this location is to assist the resident who lives in the adjacent property by reducing the distance they have to walk once they have parked their vehicle. The vehicle used by the blue badge holder is already parking in the location so in practical terms there is no loss of actual parking space.

7. Integrated impact assessment

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

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) will be met from the On-Street Parking budget.

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Signed by: Tristan Samuels

Appendices:

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
Provision and Use of Disabled Badges and Bays Report	PCC website - Executive meeting - 21 February 2006

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

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Signed by:

Appendix A: The public proposal notice for TRO 166/2022

THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (DISABLED PERSONS PARKING PLACES) (NO. 166) ORDER 2022

12 September 2022: Notice is hereby given that the Portsmouth City Council proposes to make the above Order. The effect of which would be:

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:

Agincourt Road (outside no.11)	Hilsea Crescent (outside no.91)
Allaway Avenue (outside no. 79)	Jubilee Road (outside no. 89)
Apsley Road (alongside Charles Clark House, at rear of two existing disabled Bays)	Langley Road (outside no. 78-80)
Balfour Road (outside no. 43)	Leominster Road (outside no. 65)
Bourne Road (outside block 285-295)	Lichfield Road (outside no. 109)
Braintree Road (outside no. 38)	Locarno Road (outside no. 42)
Bromyard Crescent (outside no. 38)	Lombard Street (opposite no. 7-9)
Carisbrooke Road (outside nos. 8-10)	Lovett Road (outside no. 25)
Chasewater Avenue (outside no. 38)	Lowestoft Road (outside nos. 27-29)
Chichester Road (outside no. 126)	Lyndhurst Road (outside no. 35)
Copythorn Road (outside no.37)	Lynton Grove (outside no. 40)
Court Lane (outside no.38)	Manor Park Avenue (outside no. 34)
Cumberland Street (outside 3 Blackthorn Terrace)	Merrivale Road (outside no. 23)
Dormington Road (outside no. 13)	Munster Road (outside no. 5)
Eastbourne Road (outside no. 6)	New Road (outside nos. 180-182)
Eastern Avenue (outside no. 4)	New Road East (outside nos. 33-35)
Elkstone Road (outside no.5)	Nutbourne Road (outside no. 3a)
Essex Road (outside no.19)	Ophir Road (outside no. 67)
Fairfield Square (opposite no. 26)	Posbrooke Road (outside no. 26)
Fearon Road (outside no.24)	Queens Road (outside no. 95-97)
Folkestone Road (outside no. 3)	Queens Road (outside no. 224)
Funtington Road (outside no.33)	Stamshaw Road (outside no. 123)
Harleston Road (outside nos. 46-48)	Strode Road (outside no. 48)
Havant Road, North End (outside no 2-4)	Tangier Road (outside no. 75)
Hayling Avenue (outside nos. 29-31)	Trevis Road (outside no. 13)
Highgrove Road (outside no.10)	Winchester Road (outside no. 71)
	Windermere Road (alongside no 46 Amberley Road)
	Windsor Road (outside no. 17)

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

Abbeydore Road (outside no. 11)	Laburnum Grove (outside no. 73)
Amberley Road (outside no.37)	Malvern Road (outside no. 9)
Balfour Road (outside no. 38)	North End Avenue (outside no. 8)
Cheltenham Road (outside no. 64)	Paulsgrove Road (outside no. 2)
Edmund Road (outside no. 42a)	Salcombe Avenue (outside no. 2)
Edmund Road (outside no. 42c)	Salisbury Road, Cosham (outside no. 37)
Elkstone Road (outside no. 15)	Strode Road (outside no. 59)
Frogmore Road (outside no. 1)	Talbot Road (outside no. 63)
Knox Road (outside no. 110)	Wisborough Road (outside no. 2)

Copies of the draft Order and Statement of Reasons are available to view on Portsmouth City Council's website: Search "Traffic Regulation Orders 2022" at www.portsmouth.gov.uk. Alternatively, they can be viewed at the Civic Offices, Guildhall Square, PO1 2AL, Monday to Friday between 9am - 4pm. Printed copies can be obtained by calling 023 9268 8501.

Persons wishing to object to these proposals must do so by sending their representations to TROteam@portsmouthcc.gov.uk or by post to Alison Lawlor, Parking team, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref TRO 166/2022 within 21 days of the date of this Notice (i.e. by **3 October 2022**) stating the grounds for the objection.

Under requirements of current access to information legislation, please note that all representations submitted in response to this Notice, may be made available for public inspection. Full details of the Council's [Data Protection privacy notice](#) can be viewed on the website.

Felicity Tidbury, Acting Assistant Director of Regeneration (Transport)
Portsmouth City Council

Appendix B: Public Views

Apsley Road
Objection to proposed Disabled Bay

Resident, Apsley Road

I note that another disabled bay is proposed for the eastern side of Apsley Road outside Charles Clark House.

As you know, Apsley Road has parking restrictions on match days, rendering the western side of the road unusable. There are at present 4 disabled parking bays on the eastern side of the road, and your proposal would increase this number to 5.

While I have the utmost sympathy for those with mobility problems, it is apparent that this restriction is now even more limiting for other residents of this road.

I would suggest that Charles Clark House should instead make use of the space on the southern side, namely along Goldsmith Avenue, which with paving and dropped kerbing, could be turned into two or even three parking bays. Although I am sure that the residents may appreciate the lawn here (which in all the years I have lived here I have never seen anyone actually using), perhaps they would appreciate extra parking even more. I believe they could achieve this without even losing the cherry tree.

Please also bear in mind that in theory, the entire eastern side of the road could be turned into disabled parking. I also note that the Council has seemingly not sought an obvious solution to match day parking by negotiating with the owners of the B&Q carpark that displaced residents' cars could be parked in this large, nearly empty area free of charge.

I therefore wish to register my objection to the extra disabled parking bay in Apsley Road.