

Title of meeting: Cabinet Member for Transport Decision Meeting

Date of meeting: 10 August 2023

Subject: TRO 158B/2023: Karen Avenue & Landguard Road - Disabled Persons Parking Places

Report by: Kerri Farnsworth, Interim Director of Regeneration

Report Author: Denise Bastow, Parking Office Manager

Wards affected: Drayton & Farlington and Milton

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1.** To consider the public response to the proposed disabled bays in Karen Avenue and Landguard Road, Portsmouth.

In this report, TRO means traffic regulation order.

Appendix A: The public proposal notice for TRO 158/2023

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 158B/2023, it is recommended that the Cabinet Member for Transport:

- 2.1 Approves the implementation of the Disabled Persons' Parking Bays in**

(a) Karen Avenue (outside No 27) and

(b) Landguard Road (opposite Nos 180-182);

- 2.2 Notes that the remainder of TRO 158/2023 came into operation under TRO 158A/2023 on 10 July 2023, due to no objections being received to those proposals. Therefore, any proposal approved following this report will be brought into operation under TRO 158B/2023.**



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 158/2023 advertised the installation of 34 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 158/2023 took place between 22 May 2023 - 12 June 2023.

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 representations received in response to the proposal, but these have 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 Two representations were received, one objecting to the installation of the disabled bay in Karen Avenue and one objecting to the installation of the disabled bay in Landguard Road. The full content of the objections (anonymised) are in Appendix B of this report.



6. Reasons for recommendations

- 6.1 Karen Avenue, Drayton & Farlington:** An application for a disabled bay was received from a blue badge holder who lives in one of six flats in the cul de sac end of Karen Avenue. The road is unrestricted except for double yellow lines at the entry into the road from Lower Drayton Lane and one other disabled bay to the side of No 23.
- 6.2** The resident who has objected to the bay suggests that the vehicle kept by the applicant is seldom used and always parks in the same space or very close by. They have advised that parking in the road is already at a premium with not enough spaces for residents and they have to often park one or two streets away. They also suggest that the green space on the road could be used as parking bays.
- 6.3** 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.
- 6.4** The grassed areas in Karen Avenue are owned by the Housing Service and even if they converted them into parking spaces, as suggested, it would not directly help ensure the resident who has applied for the disabled person's parking space could park near their home.
- 6.5 Landguard Road, Milton:** An application for a disabled bay was received from a blue badge holder who lives in one of six flats at 185 Landguard Road. Landguard Road is within the MH Westfield Road residents parking zone which operates between 6pm and 8pm. We are proposing to install the disabled bay in one of the existing residents parking permit bays outside the flats of No 185 and it will not therefore encroach on any other property. There are two other disabled bays on the opposite side of the road, outside Nos 180 and 188, installed for two other blue badge holding residents who have vehicles registered to their addresses.
- 6.6** The resident objecting is concerned at the number of disabled parking bays in the vicinity of where they live and suggesting that there will be little available parking space for themselves and other residents if another disabled bay is installed. They also suggest that the applicant has allocated parking and often parks in one of the allocated parking bays or within a few steps of her home and could use one of the other two disabled bays already located in the same section of Landguard Road.
- 6.7** As referred to in 6.6 above, there are two other disabled bays located in the same section of Landguard Road, however these were installed following applications by two other blue badge holding residents in Landguard Road and if the applicant was to park in one of these bays, then the other blue badge holders would not have use of them which could cause them difficulties.
- 6.8** Residents parking schemes do not guarantee a parking space directly outside a resident's home address and as an MH permit holder the resident objecting can park in any of the residents parking bays within the roads included in the MH zone.



6.9 They also suggest that the resident applying for the bay has allocated parking, however as confirmed from the City Council's Planning Portal, 185 Landguard Road was changed from a former Depot to "6 aged persons flats with visitors car parking and rear amenity garden area". There is therefore no allocated parking to an individual flat as the two spaces were designed for visitors car parking and the applicant has provided a copy of her lease which refers to the parking areas as 'Common areas'.

6.10 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:

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 158/2023**THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (DISABLED PERSONS PARKING PLACES) (NO. 158) ORDER 2023**

22 May 2023: 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:

Angerstein Road (outside no. 62)	Ascot Road (outside no. 2)
Beaconsfield Avenue (outside no.5)	Beresford Road (outside no. 10)
Bourne Road (outside block 237-251)	Bramshott Road (alongside no.145 Winter Road)
Bromyard Crescent (outside no. 52)	Cardiff Road (outside no.37)
Chichester Road (outside no. 134)	Croft Road (outside no. 21)
Eastfield Road (outside no. 6)	Eastwood Road (outside no.6)
Evans Road (alongside no.104 Winter Road)	Farlington Road (outside no. 98)
Hollam Road (outside no's 22-24)	Karen Avenue (outside no.27)
Knox Road (outside no. 81)	Landguard Road (outside no. 13)
Landguard Road (opposite no's 180-182)	Lawrence Road (alongside Brandon Court)
Medina Road (outside no's 159-161)	Meyrick Road (outside no's 4-6)
Newcomen Road (outside no's 16-18)	North End Grove (outside no's 4-6)
Northern Parade (outside no. 30)	Oriel Road (outside no. 34)
Paulsgrove Road (outside no. 43)	Randolph Road (alongside no. 39 St Chads Avenue)
Shadwell Road (outside no. 120)	Shakespeare Road (outside no. 23)
Tokio Road (outside no. 13)	Wadham Road (outside no. 59)
Whitworth Road (outside no. 64)	Wymering Road (outside no. 57)

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

Abbeydore Road (outside no. 37)	Balfour Road (outside no. 126)
Binstead Road (outside no. 78)	Chichester Road (outside no. 245)
Dover Road (outside no. 149)	Euston Road (outside no. 12)
Francis Avenue (outside no. 152)	Henderson Road (outside no. 80)
Kensington Road (outside no. 18)	Norfolk Street (opposite no. 17)
Queens Road (outside no. 268)	Randolph Road (outside no. 114)
Ripley Grove (outside no. 3)	

Copies of the draft Order and Statement of Reasons are available to view on Portsmouth City Council's website: Search "Traffic Regulation Orders 2023" 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 Traffic Regulation Orders, Parking Team, Portsmouth

City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref TRO 87/2023 within 21 days of the date of this Notice (i.e. by **12 June 2023**) 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, Assistant Director of Regeneration (Transport)
Portsmouth City Council

Appendix B: Public Views

Karen Avenue

Objection to proposed Disabled Bay

Resident, Karen Avenue

Dear Sirs/Madame

I object to the above proposal.

Parking in this street and area is already at a premium. There are simply not enough spaces for the residents.

The proposed disabled bay will be for a car that to my knowledge is seldom used, and if used they are able to park in the same space if not just behind,

Although I do sympathise with the proposer this will have a detrimental impact on parking in this area.

The house opposite to my residence recently had their driveway extended and told me they are getting planning permission for an extended drop kerb. Frequently this resident does not use his dropped kerb parking but parks his cars on the road outside of this area. Limiting parking again.

I invariably have to park one or two streets away which angers the residents in such areas. I have been breathed and shouted at many times which is both distressing and upsetting. I have also been Moaned at for parking down my own street.

Perhaps a solution could be found to ease this inflamed situation by using the green spare space on this road. The residents in the flats could then be allotted a parking space each. Which in turn could ease the upset and unrest.

I myself have a disabled son and a baby on the way in July. So this proposal will only add to the upset my family is already suffering from. It will cause us no end of difficulty, inconvenience and concern.

In these circumstances I wish to oppose this proposal.

I would like to be kept anonymous

Many thanks

A Karen avenue resident

Landguard Road

Objection to proposed Disabled Bay

Resident, Landguard Road

Good morning,

I would like to put forward an objection to the disabled parking bay application for a space opposite 180-182 Landguard Road.

Given the applicant has allocated parking within her residence and has no problem with parking in the allocated bays or within a few steps of her home I feel this is an unjust request.

Parking in Landguard Road, I live at XXX is very limited and with parking permits now in use it has further impacted space in the road.

Outside of my home would be 3 disabled spaces, given very little space for myself but also other residents to park.

On frequent occasions the applicant has allowed her family to park in her allocated bay, leaving her free to park in the road with no problem in walking to her home. Surely if walking was an issue her family wouldn't take her space meaning she had the walk?!

With 2 other disabled bays available for the applicant to park in extremely close to her flat (opposite) given disabled bays are not bound by an allocated house but by being a blue badge holder, why is it the applicant can't park in one of those?

I hope this will be taken into consideration when making a final decision.

(Applicants car is the red vehicle in the photo)

