



MANAGEMENT OF DISABLED PARKING BAYS TASK GROUP

Tuesday, 29th January, 2013

5.30 pm

Publication date: 24 January 2013

AGENDA

1. APOLOGIES FOR ABSENCE
2. MINUTES OF THE MEETING ON 9TH JANUARY 2013
3. REPORTS AND BACKGROUND INFORMATION (Pages 1 - 22)

Questions and discussion on the background information supplied by officers.

4. SURVEY FOR RESIDENTS

1. To determine the questions to be asked of residents
2. To collate questions and prepare survey for distribution to residents.

Question received to date:

'If you had a choice would you prefer that the disabled bay outside your home was enforceable?'

5. DATES OF FUTURE MEETINGS

Watford On-Street Disabled Bays

| Road | Location | Number of Bays | Times active |
|-------------------|-------------------------------|----------------|--|
| Bushey Mill Lane | Outside Tudor Surgery | 1 | At all times |
| Cecil Street | At junction with St Albans Rd | 1 | At all times |
| Gade Service Road | Alongside Gade Car Park | 5 | 4am to 8pm every day |
| Gaumont Approach | Alongside Sainsburys | 5 | 4pm to Midnight every day |
| Goodwood Parade | Outside Post Office | 1 | At all times |
| Haines Way | Outside Post Office | 4 | At all times |
| High Street | Opposite Primark | 9 | At all times |
| High Street | Outside Café Nero | 7 | 11am to 5pm, Mon to Fri. All day Sat/Sun |
| High Street | Outside Revolutions | 4 | 11am to 5pm, Mon to Fri. All day Sat/Sun |
| Judge Street | At junction with St Albans Rd | 1 | At all times |
| Lavinia Avenue | Outside Number 14 | 1 | At all times |
| New Street | Outside Church Car Park | 2 | At all times |
| Peace Prospect | Alongside Leisure Centre | 6 | At all times |
| Queens Road | Outside Laundrette | 2 | At all times |
| Regent Street | At junction with St Albans Rd | 1 | At all times |
| Shaftesbury Road | Outside Playing Fields | 1 | At all times |
| The Parade | Outside Oxfam | 6 | 4am to 8pm every day |

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Watford Off-street Disabled Bays

December 2012

| Car Park | Road | Location | Number of Bays | Height Restriction | Electric Charging | Toilets | Blue Badge Discount |
|--------------------------|----------------|----------|----------------|--------------------|-------------------|---------|--|
| Council Managed | | | | | | | |
| Avenue | The Avenue | WD17 4NR | 6 | N/A | 2 | N | N |
| Central Leisure Centre | Peace Prospect | WD17 3HA | 6 | N/A | N | Y | N |
| Harebreaks | The Harebreaks | WD24 6NG | 1 | N/A | N | N | N |
| Longspring | Longspring | WD24 6PX | 4 | N/A | 2 | N | N |
| Town Hall | Peace Prospect | WD17 3EX | 6 | N/A | 2 | Y | N |
| Town Hall Visitors | Peace Prospect | WD17 3EX | 1 | N/A | N | Y | N |
| Woodside Leisure Centre | Horeshoe Lane | WD25 7HH | 16 | N/A | N | Y | N |
| Privately Managed | | | | | | | |
| Church | Exchange Road | WD18 0BU | Unknown | Unknown | N | Y | Pass card for holders on income support* |
| Gade | Rosslyn Road | WD18 0JY | Unknown | Unknown | 2 | N | Pass card for holders on income support* |
| Kings | Beechen Grove | WD17 2RU | Unknown | 1.93m (6.4ft) | N | Y | Pass card for holders on income support* |
| Palace Charter | Beechen Grove | WD17 2RU | Unknown | 1.98m (6.6ft) | N | Y | Pass card for holders on income support* |
| Palace Harlequin | Beechen Grove | WD17 2RU | Unknown | 1.98m (6.6ft) | N | Y | Pass card for holders on income support* |
| Queens | Beechen Grove | WD17 2RU | Unknown | 1.93m (6.4ft) | 2 - Level 1 | Y | Pass card for holders on income support* |
| Sutton | Estcourt Road | WD17 2AD | Unknown | Unknown | 2 | N | Pass card for holders on income support* |

*Available from Watford Borough Council upon proof of eligibility. Charge of £10 per annum

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Disabled Parking Bay Application Watford Borough Council - April 2011

Watford Borough Council will consider applications to provide disabled parking bay markings close to properties where a resident's mobility is severely impaired so that they need to park their car immediately outside their home.

Any disabled bay provided under these circumstances is advisory only. Other motorists are not legally excluded from parking in the bay and no legal order will be created. Nevertheless, these markings are generally well respected by other road users due to the stringent criteria necessary to qualify for a disabled bay and the fact that neighbours are consulted.

The disabled bays are usually provided in residential roads where there is a heavy demand for parking and where there are no other formal waiting restrictions (yellow lines) in place. Advisory disabled bay markings cannot be provided where there are yellow lines.

A bay will not be provided for residents who have an off-street parking facility.

Advisory bays are marked in line with the traffic sign regulations and general directions. A box will be marked on the road in white paint to accommodate a car. The word 'DISABLED' will be written alongside the bay on the road. They do not have a restriction sign - showing the blue disabled symbol - accompanying them.

If a bay is provided in a Controlled Parking Zone (CPZ) then the vehicle using it must display a valid permit for the zone in which the bay is located. Failure to do so would result in a parking ticket (Penalty Charge Notice) being issued.

The detail of each part of the application process is provided below.

Here's what to do

New applicants: first check you meet the basic criteria before applying.

Basis requirements:

- You are a permanent resident in the Borough of Watford and the application address is your sole place of residence.
- You are on the electoral register (subject to age).
- You reside in the Borough for more than six months of the year.
- You hold a current Disabled Blue Badge.
- You are in receipt of Disability Living Allowance mobility component at the higher rate or Attendance Allowance.
- A vehicle is registered at the address where you are applying for the bay to be installed.
- The vehicle is taxed and insured.
- The owner of the vehicle permanently resides at the application address and is able to drive the vehicle.
- The driver holds a valid, current driving licence appropriate to the vehicle to be used.
- You **do not** have a driveway, garage or any other off street parking.

If you can answer 'yes' to all the above, then please go to stage 1 below for further details.

If you answered 'no' to any of the above, unfortunately it is unlikely we will be able to install a disabled bay and we would not advise you to continue. However you may do so if you wish although your application is unlikely to be successful.

How do I apply?

An application form can be downloaded from: www.watford.gov./disabled ,collected at the Town Hall Customer Service Centre or, posted to you on request.

Stage 1 – Application

Please fill in an application form ensuring all sections are fully completed;and all documentation is attached.

Please send your application form along with copies of the documentation requested on the form to the address indicated, ensuring the correct postage is used. Only send copies of your documents, not originals as we do not return documentation.

Stage 2

Following assessment of your application and if you are considered eligible, a highways location and safety check will be conducted to determine if a suitable location for a bay outside the application property can be identified.

Stage 3

If your application passes the stage 2 assessment:

- You will be notified informing you that your application has been provisionally approved.
- Notification with neighbours will be conducted followed by installation, subject to consideration of any formal objections raised as a result of notification.

The process of application and installation will take up to 12 weeks but could be delayed if all information requested is not supplied with the application. Installation will be dependent on weather conditions.

What consultation takes place?

As part of the assessment process it will be necessary to notify affected neighbours. This is usually in the form of a letter to the houses either side of the application property and the three properties immediately opposite although this may vary depending on the exact layout of the area. Occasionally an objection will be raised that requires the application to be reassessed. This could be because the bay location will cause access difficulties for neighbours or because a query regarding eligibility for the bay has been raised which needs to be investigated further.

Reasons why your request might be turned down?

In certain circumstances council approval to install an advisory disabled bay will not be granted. These circumstances include where:

- you fail to meet the criteria for a bay as detailed above
- existing yellow line parking restrictions are in place
- the site assessment shows the location to be unsuitable on the grounds of road safety or obstruction
- affected residents formally object and those objections are upheld by the council
- the area already has a large number of such bays and installation of an additional bay would severely restrict parking opportunity for other residents.

Request to remark current bay

If a current bay requires remarking due to fading or other reasons, then you can complete the remark request form.

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Application for an Advisory Disabled Bay

Please use this form to apply for an on-street advisory disabled bay marking. Complete using black or blue ink and print. ALL sections must be completed providing as much detail as possible to support your application.

If you are applying on behalf of the applicant and wish to be the contact in relation to the application, please fill in the box below then move on to 'step 1' below.

If you are applying on your own behalf, please go straight to 'Step 1' below.

Contact information

If you are applying on behalf of the applicant and wish to be the contact in relation to the application, please fill in the following section. This contact information will be used for all subsequent correspondence.

| | |
|-------------------------|--|
| First name(s) | |
| Last name | |
| House name or number | |
| Street | |
| Postcode | |
| Home telephone | |
| Mobile telephone number | |
| Email | |

Step 1 – Applicant personal details

| | |
|-------------------------|--|
| First name(s) | |
| Last name | |
| House name or number | |
| Street | |
| Postcode | |
| Home telephone | |
| Mobile telephone number | |
| Date of birth | |
| Email | |

Step 2 – Blue badge details

| | |
|-------------------|--|
| Blue Badge Number | |
| Date issued | |
| Expiry date | |

Is the blue badge registered at the address for which the application relates? YES NO

Step 3 – Vehicle details

| | |
|---|--|
| Vehicle registration number | |
| Colour | |
| Make | |
| Driver of vehicle if different from applicant | |

Step 4 – General information – TICK BOX

| | YES | NO |
|--|-----|----|
| Do you have a garage? | | |
| Do you have a driveway? | | |
| Do you have use of other off street parking? | | |

Step 5 – Documents to be attached to your application-please only send photocopies ensuring all documents are current.

| | |
|---|---|
| Blue Badge | Photocopy of both sides |
| Disability living allowance mobility component at the higher rate or attendance allowance at the higher rate. | A copy of correspondence from the Department of Work and Pensions (DWP) detailing your entitlement such as your annual notification letter would be appropriate (bank statements are not sufficient). |
| Driving Licence of vehicle driver | Photocopy both sides |
| Vehicle registration document (V5) and insurance certificate | Photocopy of both documents |
| Proof of permanent residency – applicant and driver | Example: Council Tax bill/ letter from DWP (pensions)/ utility bill |

Step 6 - Neighbours disclosure/ authority to share information

Each of the boxes below must be signed by the applicant or their representative.

By signing you are indicating you understand and agree to these actions being taken, as appropriate.

Notification of neighbours is necessary and may require disclosure of your disability status, this will only happen if we consider it to be relevant to your application

Sign here:.....

The applicant will notify the authority should any details provided on this form change i.e. medical status, benefits received, should you no longer own a vehicle, relocation etc.

Sign here:.....

The authority is duty bound to protect the public funds it administers, to this end the information you provide may be shared with other bodies to help prevent/detect fraudulent claims

Sign here:.....

Step 7 – Return of application

Please return your application, ensuring sufficient postage is attached, to:

Watford Borough Council
Planning & Transportation (Disabled Bay)
Room 62
Town Hall
Watford
WD17 3EX

For further enquiries please call or visit: www.watford.gov.uk/disabled
Telephone: **01923 278079** or **01923 278115**

Sign..... **Date**.....

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The actions arising are:

1. Clarification of advisory disabled bays within CPZ. Are they enforceable?

Yes, Advisory Disabled Bays are enforceable within the Controlled Parking Zone (CPZ). If you park displaying a blue badge within an Advisory Disabled Bay without displaying a resident's parking permit then you will receive a Penalty Charge Notice (PCN)..If a non resident parks in an Advisory Bay they risk receiving a PCN.

2. Provide information on procedure for making advisory disabled bays

The requirements for residents to be eligible for an Advisory Disabled bay are as follows:

- **You are a permanent resident in the Borough of Watford and the application address is your sole place of residence.**
- **You are on the electoral register (subject to age).**
- **You reside in the Borough for more than six months of the year.**
- **You hold a current Disabled Blue Badge.**
- **You are in receipt of Disability Living Allowance mobility component at the higher rate or in receipt of Attendance Allowance.**
- **A vehicle is registered at the address where you are applying for the bay to be installed.**
- **The vehicle is taxed and insured.**
- **The owner of the vehicle permanently resides at the application address and is able to drive the vehicle.**
- **The driver holds a valid, current driving licence appropriate to the vehicle to be used.**
- **You do not have a driveway, garage or any other off street parking**

3. Clarification of whether it is possible to apply time limiting restrictions to disabled drivers using p&d bays.

No, The National Blue Badge Scheme enables Blue Badge Holders to park in Pay and Display bays for an unlimited period of time free of charge. This provision also applies to shared use bays (shared permit holder/P&D). Badge holders may also park on single or double yellow lines for up to three hours The Department for Transport booklet, The Blue Badge Scheme : rights and responsibilities in England which is made available to all Blue Badge Holders provides details (page 15/16) on where Blue Badge Holders can park.

4. Information on the scale of the problem regarding abuse of advisory disabled bays. No. of complaints/ feedback from residents etc.

Within the CPZ, the Parking Service is only aware of one complaint relating to abuse of Advisory Disabled Bays. The complaint related to St James Road. The abuse of the bay was resolved by letter dropping to six houses within the adjacent area of the Advisory Bay advising of the reason for provision of the bay and the inconvenience caused to that individual. No further action was needed.

Outside the CPZ, two issues of abuse have been brought to our attention. One related to Sandringham Road where the Blue Badge Holder died and her son continued to park in the Advisory Disabled bay. The matter was resolved expediently by arranging for the bay to be removed, residents happy with the outcome.

The second concern related to Ridge Street where the Police reacted to a complaint from the Blue Badge Holder when one evening the blue badge holder was unable to park in the Advisory Bay provided. The Police were notified by the householder and a Police Officer issued the vehicle with a fixed penalty parking ticket for obstruction. This was later rescinded by the Police. No further action was taken and the problem has not re-occurred.

4a. They would like a table setting out the different types of disabled bays (advisory in and out of CPZ & statutory). How the bays can be enforced etc.

| Number of Advisory Disabled Bays on-street within the CPZ area | Number of Advisory Disabled Bays on-street outside the CPZ area | Number of Statutory Disabled Bays on-street (Queens Road, High Street/Parade, Tudor Shops, Courtlands Drive etc) |
|---|--|--|
| 70 | 100 | 54 See attached for full list of Statutory Disabled Bay locations |
| Yes, enforced by CEOs within the CPZ patrols. The offence for which a PCN can be issued will be for non-display of a valid residents' permit. If reports are received of on-going abuse of such a bay by a permit holder for whom the bay was not provided, the Council has access to name/ address details through the permit system and can contact the offending motorist to | Not enforced, Outside the CPZ Advisory Bays rely on the goodwill of residents to support the parking needs of a person with a mobility handicap. | Yes enforced by mobile patrols and enforced by the CEO's. CEO's also respond following requests and complaints. Penalty Charge Notices are issued to vehicles failing to display the required Blue Badge. Many of these bays are also subject to Operation Clamp patrols in partnership with the Police and Council Fraud Officer's. |

| | | |
|--------------------------------------|--|--|
| request them not to park in the bay. | | |
| | | |

Please find attached a full list of the 54 Statutory Disabled Bays.

4b. We can also provide the CPZ leaflet - current and proposed.

New Leaflet showing the CPZ areas provided

4c. Details of the no. of bays in the Borough. Regime for checking whether they are still needed etc.

There are 170 Advisory Disabled Bays across the Borough.

In 2011 following discussions with the Portfolio Holder for Highways and Transport the new criteria for considering applications to enable residents to apply for an Advisory Disabled Bays was introduced. To ensure consistency across the Borough The Watford Housing Trust are applying the same criteria for bays on land they administer.

The new criteria is being applied to all the existing disabled bays that were installed prior to April 2011.

Our aim is to review all bays on a three year cycle. We are currently half way through the review process.

Please find attached application form and document listing the requirements that need to be proven over and above being registered disabled and being in receipt of a Blue Badge. Applicants must meet all the requirements and provide evidence in order for the application to be successful.

4d. Needs a paragraph + on how often the bays are reviewed, what the process is (may need some detail)

We operate a 3 year review programme for reviewing disabled bays granted to residents. Requirement will be for the applicant to re-submit their details against the set criteria. This process in any event identifies disabled bays no longer required because of death or relocation. The requirement to re-apply identifies those who no longer meet the criteria.

This process also enables disabled bays which do meet the criteria to be repainted.

4e. They would like to do a survey - either to all bay applicants or just a sample. At the next meeting they will discuss what questions to ask.

Happy to undertake survey.

4f. They also want information from other councils on how they deal with disabled bays. The following councils were mentioned: Stevenage, Rother, Hastings, Three Rivers, Hertsmere, Portsmouth, Milton Keynes, Luton, S Beds, Central Beds.

Please find attached the information on how other Councils process applications for Disabled Bays

| Authority | TRO CPZ Bays | Response |
|------------------|---------------------|---|
| Luton | Yes | All disabled bays within CPZ covered by a TRO (21 bays) |
| Sheffield | Yes | In the past only had advisory bays outside of the city centre CPZ but recently introduced new Parking Permit Zones and included disabled bays in the TRO. "Only a small number of bays" |
| Cardiff | Yes | All bays provided with TRO's and no advisory ones. We provide bays in two ways; those for communal use such as placed in the city centre and in district shopping centres and those we provide outside private residences when requested by individuals. Although the latter are still for any blue badge user due to their location outside a specific residence they tend to be used in the main by those applicants. We have around 1,300 disabled bays on-street. The second group being the larger by far. Each location is supported by its own TRO. |
| Canterbury | Yes | They are in the TRO and any blue badge holder can use them. They are enforceable for anyone without a blue badge (120 bays over three areas) |
| Eastleigh | Yes | All disabled bays have their own TRO and are enforceable. This also applies to disabled bays not within any CPZ (No. of bays not provided) |
| Oxfordshire | Yes | All bays within CPZ enforceable including disabled bays. Believe would have trouble with indiscriminate parking if this was not the case. We have one TRO that covers all the disabled bays County wide but they are also in the individual TRO's (No. of bays not provided) |
| Hart | Yes/No | We always start off with advisory disabled bays and make an Order if we receive complaints. This works well taking into consideration disabled bays in residential permit areas may be temporary, if the resident the bay was provided for decides to move or passes away we can remove the bay without changing a TRO (No. of bays not provided) |
| Dover | Yes | All of our disabled bays are designated as disabled bays and cannot be used |

| | | | |
|-----------|-----|--|--|
| | | | unless the vehicle is displaying a blue badge (No. of bays not provided) |
| Plymouth | No | | Our administration made it clear they did not want us to cover residential disabled bays with legal Orders because the inclusive cost of the TRO process, lines, signs in the region of £1.5k each time. Told to continue to provide such bays without an Order, accepting unenforceable, and maintain position whereby morally people will use appropriately. We have few issues with this apart from subsidy aspects of placement and ongoing maintenance. (No. of bays not provided) |
| Hull | No | | In Hull within CPZ's we have very few disabled bays for an individual householders use. Any that are put in are advisory only. Outside the CPZ such bays are always advisory. The cost of a TRO for these bays would be meteoric. (No. of bays not provided) |
| Rotherham | Yes | | All our residents disabled parking bays are covered by the on-street TRO. When a new one is created the TRO is amended accordingly. This makes them enforceable and whilst, most of them are respectfully observed by neighbours/visitors, we do have instances when we have to issue PCN's. (No. of bays not provided) |
| Barnsley | No | | We do not have any disabled only bays. Believe this is to avoid the problem of creating/revoking TRO's as people move in/out of property. |
| Liverpool | Yes | | We have dedicated disabled bays for use by blue badge holders, which have a supporting TRO. The bays are free and have a TRO which designates a permit number to the bay, thus only the permit holder may use the bays and not any blue badge holder, even though the bay has the word DISABLED marked. These bays have been used for 20 years or more and were approved by DfT. |
| Blackpool | No | | Blackpool took the decision a number of years ago not to implement any disabled badge holder bays in any residential areas or anywhere intended for for an individuals use. We only place them in the town centre or district centres for general use. We have upwards of 9,000 blue badge holders and a general population of 140,000. Introducing bays, even to those on higher rate |

mobility allowance would increase pressure on already restricted roads. The available road space in some areas could not accommodate the number of potential bays and would put other elderly or infirm residents who may not meet the criteria at a significant disadvantage. Finally, the Council does not have the funding to implement, maintain and ultimately remove the potential thousands of bays that would be required.

| | | |
|-----------------------------------|-----|---|
| Stevenage | Yes | Bays can be used by any blue badge holder and not necessarily for the sole use of the applicant. |
| Three Rivers | No | All bays within the CPZ are advisory. |
| Dacorum | No | All bays within the CPZ are advisory. |
| Central Beds (Inc. South Beds) | Yes | <p>Disabled bays are available for use by any registered blue badge holder and do not confer user rights on any specific individual. Bays are subject to a TRO and the parking bay may be provided for the individual but at any point another legitimate blue badge holder may use the bay, as long as a valid blue badge is displayed at all times whilst using that parking bay.</p> <p>The Council will advertise the TRO and seek comments from the public. In addition written consent may be required from immediate neighbours. This may be required if the applicant lives in a traditional terraced property with recognised kerb side on-street parking.</p> |
| Portsmouth | Yes | All CPZ disabled bays advisory until 2007 but then changed over 2 years to enforceable with TRO's as a result of abuse. All vehicles using the bays must display a blue badge. Disabled bays are not reserved for the sole use of an individual and may be used by any blue badge holder. £50 charge applies to applicant before any bay is installed. Process takes minimum of 3 months. |
| Milton Keynes | Yes | Blue badge holders can park in all disabled bays in Milton Keynes when displaying a valid blue badge. |
| Suffolk | No | Advisory bays in residential areas and TRO bays in town centre. |
| Leicester | No | Advisory disabled bays only for residents. |

| | | |
|------------------|-----|--|
| Warwickshire | No | Advisory disabled bays only for residents. |
| Surrey | No | Advisory disabled bays only for residents. Residents may apply for bay to be supported by a TRO. |
| Somerset | No | Advisory disabled bays in residential areas and TRO bays in town centre. |
| Devon | No | Advisory disabled bays only in residential areas where parking is at a premium. TRO bays in the central business district. |
| Oldham | Yes | All of our bays - disabled/permit are controlled by a TRO. |
| North Tyneside | No | Formal TRO bays in town/village centres where there is an expectation of enforcement but only advisory bays in residential areas. These bays are not enforceable but residents usually respect them. |
| Bristol | No | Advisory disabled bays only in residential areas. |
| Walsall | No | Advisory disabled bays only in residential areas. |
| Essex | No | Advisory disabled bays only in residential areas. |
| Wirral | No | All disabled bays in all areas are advisory only. |
| Buckinghamshire | No | Formal TRO bays in town/village centres and advisory bays only in residential areas. Although these cannot be enforced, residents usually respect them. |
| Wigan | No | Advisory disabled bays only in residential areas. |
| Stockton-On-Tees | No | Advisory disabled bays only in residential areas. |
| Derbyshire | No | Advisory disabled bays only in residential areas. |
| Cumbria | No | Advisory disabled bays only in residential areas. |

| | | |
|------------|----|--|
| Coventry | No | Advisory disabled bays only in residential areas. |
| Reading | No | Advisory disabled bays only in residential areas. |
| Fareham | No | All disabled bays provided are advisory only. |
| St. Helens | No | Formal TRO bays near to or within commercial areas. Advisory disabled bays in residential areas. |
| Sandwell | No | Advisory disabled bays only in residential areas. |

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