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COMMITTEE MEMBERSHIP

Watford Borough Council

Members - Task Group

Councillor Rabi Martins

Chair of the Task Group and

Councillor for Central Ward

Councillor Nigel Bell

Councillor for Holywell Ward

Councillor Ian Brandon

Councillor for Callowland Ward

Councillor Karen Collett

Councillor for Woodside Ward

Councillor Sue Greenslade

Councillor for Meriden Ward

Other Members attending

Councillor Helen Lynch

Councillor for Central Ward

Councillor Mo Mills

Councillor for Vicarage Ward

Officer Support

Watford Borough Council

Jane Custance

Head of Planning

Andy Smith

Transport & Infrastructure Section Head

Barbara Staples

Senior Admin Officer

Sandra Hancock

Committee and Scrutiny Officer

Rosy Wassell

Committee and Scrutiny Support Officer

PROPOSED RECOMMENDATIONS TO PRESENT TO OVERVIEW AND SCRUTINY COMMITTEE

Proposed Recommendations:

1. That information be sent to those residents who have a Disabled Parking bay explaining the rules which allowed for these bays to be established outside residents' homes.
2. That information be sent to residents with a Disabled Parking bay explaining who could and who could not use the bays.
3. That information be sent to all ward councillors detailing where Disabled Parking Bays have been established within their wards.
4. That an article be written in 'About Watford' informing residents that the survey has been conducted and advising on actions residents could take in the event of encountering problems.
5. That all Councillors keep a data log of information on all parking problems received from residents. Councillors will then pass this information on a quarterly basis to the Senior Admin Officer in the Planning section.
6. That information arising from the survey be forwarded to Disability Watford.

BACKGROUND INFORMATION

At the meeting of the Overview and Scrutiny Committee on 21 November 2012 Members discussed the formation of a Task Group to review the management of Disabled Parking Bays and parking by Blue Badge holders.

This task group had been proposed by Councillor Rabi Martins who commented that he was aware of problems related to local residents' 'disabled' marked parking bays. A response to Councillor Martins' proposal had been received from the Head of Planning.

Councillor Rackett supported the proposal and advised that he had received complaints from residents in his ward. Councillors Hastrick and Khan agreed that Councillor Martins' concerns were valid.

The Committee and Scrutiny Officer advised that she would circulate the proposal form to those interested in taking part.

It was anticipated that the review would produce the following outcomes:

- The review and amendment of the system for Disabled Parking Bays
- The introduction of a system for enforcing Disabled Parking Bays
- The review of the use / abuse of the Blue Badge system and the introduction of appropriate measures to combat identified problems

In order to obtain relevant evidence it was proposed that:

- Questionnaires be sent to residents who currently had Disabled Parking Bays
- Interviews be conducted with residents who were known to have complained to councillors or officers in the past.

It was agreed by Overview and Scrutiny Committee that the Task Group would comprise:

Councillor Rabi Martins (Proposer) – Councillor for Central Ward

Councillor Nigel Bell – Councillor for Holywell Ward

Councillor Ian Brandon – Councillor for Callowland Ward

Councillor Karen Collett – Councillor for Woodside

Councillor Sue Greenslade – Councillor for Meriden Ward

SUMMARY OF MEETINGS

First Meeting - 9 January 2013

Councillor Martins was elected Chair.

The Task Group and officers discussed problems residents had encountered in connection with Disabled Parking Bays.

The Head of Planning advised on the differences between advisory and statutory disabled parking bays and the rules applying to both. She further informed on the procedure for making advisory bays.

Members decided that there was a need to know the extent of residents' problems; they considered that it would be wise to survey residents to determine whether parking for disabled drivers was a serious issue. Members also wished to be informed of where in the town Disabled Parking Bays could be found.

It was AGREED:

1. that officers clarify information on advisory bays within the CPZ and whether they are enforceable
2. that officers provide information (in table form) on the different types of disabled bays both in and out of the CPZ and whether these can be enforced
3. that officers provide information on the procedure for making advisory disabled bays
4. that officers clarify whether it is possible to apply time limiting restrictions to disabled drivers using Pay and Display bays
5. that officers provide information on the scale of the problem regarding abuse of disabled bays to include the number of complaints and feedback from residents
6. that a questionnaire be sent to residents who have advisory disabled bays outside their property
7. that officers provide to Members both the current CPZ leaflet and the proposed future one
8. that officers provide details of the number of bays in the borough and the procedure for checking whether they are needed.
9. that officers and Members collate information on other councils' procedures with regard to disabled bays. Possible councils to investigate would include:
Hastings, Hertsmere, Luton, Milton Keynes, Portsmouth, Rother, Stevenage, Three Rivers and Central and South Bedfordshire

Second Meeting - 29 January 2013

The key decision for this meeting was how best to establish the extent of problems for residents with Disabled Parking Bays.

Members had received considerable background information from officers; it was suggested that evidence should be gathered through a survey of those residents who had Disabled Parking Bays.

The meeting agreed that a survey would be conducted. Officers would look at questions suggested by Members and then forward a revised list to the Task Group for consideration.

The Head of Planning agreed that two members of her team could work on the questionnaire and that this would then be sent to the households in the borough which currently had advisory Disabled Bays. They would then prepare a report for the Task Group to consider.

It was AGREED:

1. That officers conduct a survey, based on the questions proposed by the Task Group members, of the 170 households who currently have advisory disabled bays and prepare a report for the task group to consider.
2. That the next meeting of the Task Group would take place on 25th February 2013 starting at 6.00 p.m.

Third Meeting - 7 May 2013

The previously scheduled meeting had had to be postponed in order to allow sufficient time for replies from residents to be received and collated.

Members had seen and noted the results of the survey of residents who had a Disabled Parking Bay, which had been circulated to them between meetings.

A full report on the results of the survey are attached at Appendix 5.

A total of 170 questionnaires were sent to residents and 99 were returned; this equates to a 58.2% response rate.

The following table provides a brief analysis:

	Outside CPZ	Within CPZ
Number of respondents	51	48
Residents who never had problems	35%	10%
Residents who occasionally had problems	49%	50%
Residents who frequently had problems	16%	40%
Residents who had made a complaint	54	52
No. of complaints to Parking shop	1	17
No. of complaints to WBC	10	9
No. of complaints to local councillors	5	7
Residents who had never complained	35	16
No. of complaints to MP	1	NIL
No. of complaints to Police	4	3
	Overall	
Residents who never had problems	23.2%	
Residents who occasionally had problems	49.0%	
Residents who frequently had problems	27.3%	

Members discussed the survey and then made their recommendations.

RECOMMENDATIONS AND COMMENTS

Recommendation 1: That information be sent to those residents who have a Disabled Parking bay explaining the rules which allowed for these bays to be established outside residents' homes.

Members had asked for the rules regarding Disabled Parking Bays outside residents' homes.

The Transport and Infrastructure Section Head advised that, whilst all holders of a Blue Badge could park in the bays subject to traffic orders, not all Blue Badge holders could have a bay marked outside their own homes. Strict rules applied to those residents who were entitled to such bays. The Disabled Parking Bay Application form is attached at Appendix 3. The list below details the basic requirements:

- The applicant is a permanent resident in the Borough of Watford and the application address is their sole place of residence.
- The applicant is on the electoral register (subject to age).
- The applicant resides in the Borough for more than six months of the year.
- The applicant holds a current Disabled Blue Badge.
- The applicant is in receipt of Disability Living Allowance mobility component at the higher rate or Attendance Allowance.
- A vehicle is registered at the address where the applicant is 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.
- The applicant does not have a driveway, garage or any other off street parking.

Recommendation 2: That information be sent to residents with a Disabled Parking bay explaining who could and who could not use the bays.

The Chair acknowledged that misuse of Disabled Parking Bays was not considerable but that, where it existed, it had caused problems for residents. The Group felt that it would be wise for residents to fully understand who could and who could not use the bay.

With regards to infringements of the rules, the Head of Planning advised that advisory bays in the CPZs could be enforced where a car belonged to a

permit holder but did not display a Blue Badge but that advisory bays outside the CPZs were not enforceable.

The Transport and Infrastructure Section Head explained that within a CPZ, a resident's permit could be taken back were they to park in a disabled user's bay; a greater problem would exist outside a CPZ.

Recommendation 3: That information be sent to all ward councillors detailing where Disabled Parking Bays had been established within their wards

The Group felt that there was a need to be advised of locations in the town where Disabled Parking Bays were located.

The Transport and Infrastructure Section Head proposed that a break-down of Disabled Parking Bays in all wards be sent to all councillors so that they could be made aware of potential problems in their area.

The Group agreed that this should be effected, the Chair noting the responsibility which councillors had for residents in their wards.

Recommendation 4: That an article be written in 'About Watford' informing residents that the survey had been conducted and advising on actions residents could take in the event of encountering problems

An excellent response had been received for this survey and it was decided that a letter of thanks should be sent to the respondents.

The Transport and Infrastructure Section Head advised that, following the survey, it had become apparent that in the event of problems, residents were unsure how to proceed. It was agreed that an article should be drafted for the 'About Watford' magazine which would give information on the survey and advice on actions which residents could take when problems arose.

Recommendation 5: That all Councillors keep a data log of information on all parking problems received from residents

Councillors agreed that it would be helpful to keep a track of all calls received in relation to parking bay problems and to enter these in a log. The details would then be passed to the Senior Admin Officer in the Planning section on a quarterly basis.

Recommendation 6: That information arising from the survey be forwarded to Disability Watford.

In order to inform those residents who were most likely to use the Disabled Parking Bays, it was agreed that information on the survey and responses be sent to Disability Watford.

Selection of topics and issues for scrutiny by councillors, officers or members of the public

Anyone wishing to suggest a topic for scrutiny must complete Section 1 of this form.

1. Sources

The following are sources of ideas for the work programme:

- Performance indicators, both national and internal.
- Views of Cabinet and Leadership Team especially in relation to policy subjects.
- The Council's surveys, such as the annual residents' survey.
- The Complaints Report which is compiled annually by the Customer Service Centre.
- Service complaints more widely; although individual cases will not be taken up if a large volume of complaints is received about a single issue then it may be appropriate to pursue the topic.
- Reports of external inspections of services.
- The views of the Council's partners.
- Issues picked up by ward councillors in their locality.
- The Council's Forward Plan

2. Outcomes

Success indicators could include:

- Having identified local needs;
- Having evaluated alternative ways of working/how a service could improve and making recommendations to the Executive or the Council's partners;
- Having developed an awareness of any contractual, economic, legal or structural constraints on Council's or its partners approach.

3. Criteria

To qualify for consideration the topic must meet the following criteria:

- Affect a group or community of people. Scrutiny will not normally look at individual service complaints.
- Relate to a service, event or issue in which Watford Borough Council has a significant stake.
- Not be an issue that Scrutiny has covered during the last year.
- Not be a planning or licensing issue, or any other matter dealt with by another council committee.
- To match one or more of the Council's current priorities.
- To be feasible and able to be completed within the timescale projected for the work.
- There must be availability within the relevant department/service to support the review.
- Be a topic that members wish to scrutinise.

On completion please return to Sandra Hancock, Committee and Scrutiny Officer

By email – sandra.hancock@watford.gov.uk

By post – Legal and Property Services, Watford Borough Council, Town Hall, Watford, WD17 3EX

Suggestions for topics to be scrutinised – evaluation table

A Member, Officer or member of the public suggesting a topic for scrutiny must complete Section 1 as fully as possible. Completed tables will be presented to Overview & Scrutiny for consideration.

Section 1 – Scrutiny Suggestion	
Proposer: Councillor/Officer/Member of public	
<p>Topic recommended for scrutiny:</p> <p><i>Please include as much detail as is available about the specific such as;</i></p> <ul style="list-style-type: none"> • <i>areas which should be <u>included</u> in the review.</i> • <i>areas which should be <u>excluded</u> from the review.</i> • <i>Whether the focus should be on past performance, future policy or both.</i> 	<p>Management of Disabled Parking Bays and Parking by Blue Badge Holders</p> <p>Two problems have been brought to my attention</p> <ol style="list-style-type: none"> 1. The council does not enforce Disabled Parking Bays Thus they are merely advisory and do not serve the purpose they are intended for, namely to assist people with physical disability who are only able to walk a limited distance without assistance 2. Under our current rules any person with a Blue Badge is able to Park at any Parking Bay for an unlimited period without payment. Thus in some areas premium parking spaces are blocked for hours on end.
<p>Why have you recommended this topic for scrutiny?</p>	<p>Some of my constituents have a Disabled Parking Bay marked outside their house because one of the occupants of the property has severe mobility problems</p> <p>However on numerous occasions they find that other vehicles with a general parking permit have occupied he slot This causes them extreme hardship</p> <p>The problem occurs because these bays are not for the exclusive use of people with Blue Badges</p> <p>Thus anyone with a Parking Permit for the area is able to Park there – and they frequently do</p>

What are the specific outcomes you wish to see from the review?

Examples might include:

- *To identify what is being done and what the potential barriers are;*
- *To review relevant performance indicators;*
- *To compare our policies with those of a similar authority;*
- *To assess the environmental/social impacts;*
- *To Benchmark current service provision;*
- *To find out community perceptions and experience;*
- *To identify the gap between provision and need*

1. Review and amendment of the system for Disabled Parking Bays
2. Introduction of system for Enforcing Disabled Parking Bays
3. Review of use / abuse of the Blue Badge System and introduction of appropriate measures to combat identified problems

<p>How do you think evidence might be obtained?</p> <p><i>Examples might include</i></p> <ul style="list-style-type: none"> • Questionnaires/Surveys • Site visits • Interviewing witnesses • Research • Performance data • Public hearings • Comparisons with other local authorities 	<p>Give details</p> <p>Questionnaire to residents who currently have Disabled Parking Bays</p> <p>Interviewing residents with Disabled Bays who are known to have complained to councillors and / or officers</p> <p>Asking authorities who enforce Disabled Parking Bays particularly in CPZ areas</p>
<p>Does the proposed item meet the following criteria?</p>	
<p>It must affect a group or community of people</p>	<p>Yes</p> <ol style="list-style-type: none"> 1. Affects individuals who require a Parking Space outside their property because of their personal circumstances 2. Affects general public, particularly in some shopping areas because blue badge holders block Parking Spaces
<p>It must relate to a service, event or issue in which the council has a significant stake</p>	<p>Operation of the CPZ Scheme</p>

<p>It must not have been a topic of scrutiny within the last 12 months</p> <p><i>There will be exceptions to this arising from notified changing circumstances. Scrutiny will also maintain an interest in the progress of recommendations and issues arising from past reports.</i></p>	<p>Meets this criteria</p>
<p>It must not be an issue, such as planning or licensing, which is dealt with by another council committee</p>	<p>Meets this criteria</p>
<p>Does the topic meet the council's priorities?</p>	<ol style="list-style-type: none"> 1. Improve the health of the town and enhance its heritage 2. Enhance the town's 'clean & green' environment 3. Enhance the town's sustainability 4. Enhance the town's economic prosperity and potential 5. Supporting individuals and the community 6. Securing an efficient, effective, value for money council 7. Influence and partnership delivery <p style="text-align: center;"><i>Please confirm which ones</i></p> <p>4 and 5</p>

<p>Are you aware of any limitations of time, other constraints or risks which need to be taken into account?</p> <p><i>Factors to consider are:</i></p> <ul style="list-style-type: none"> • <i>forthcoming milestones, demands on the relevant service area and member availability:</i> • <i>imminent policy changes either locally, regionally or nationally within the area under review.</i> 	<p>No</p>
<p>Does the topic involve a Council partner or other outside body?</p>	<p>CPZ Enforcement Contractor</p>

<p>Are there likely to be any Equality implications which will need to be considered?</p> <p><i>Protected characteristics under the Equality Act 2010 are:</i></p> <ul style="list-style-type: none"> • Age • Disability • Gender reassignment • Pregnancy or maternity • Race • Religion or belief • Sex • Sexual orientation • Marriage or civil partnership (only in respect of the requirement to have due regard to the need to eliminate discrimination) 	<p style="text-align: center;"><i>Give details</i></p> <p>Residents with Disabilities which qualify for</p> <ul style="list-style-type: none"> a) Residential Disabled Bays b) Blue Badges
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<p>Sign off (It is expected that any Councillor proposing a topic agreed by Overview and Scrutiny Committee will participate in the Task Group)</p>	
<p>Cllr Rabi Martins</p>	<p>Date: 12th Nov 2012</p>

The following sections to be completed by Democratic Services in consultation with the relevant Head of Service and Overview and Scrutiny Committee as necessary

Section 2	
Consultation with relevant Heads of Service	
<i>It is important to ensure that the relevant service can support a review by providing the necessary documents and attending meetings as necessary. The Head of Service's comments should be obtained before the request to hold a review is put to the Overview and Scrutiny Committee.</i>	
Has the relevant Head of Service been consulted?	Yes
Is there any current or proposed review of service which would affect this suggestion?	<i>Yes/no (if yes, please provide details)</i>
Is this a topic which the service department(s) is able to support	<p><i>I do not believe that this would be a suitable topic for a task group for the reasons listed as follows.</i></p> <p>Cllr Martins has suggested a review and amendment of the system for Disabled Parking Bays. There are two forms of disabled bays: advisory disabled bays and disabled bays that are the subject of a Traffic Regulation Order.</p> <p>In residential roads, residents who meet criteria set by the Council can apply to have an advisory disabled bay marked on the road. These bays are not legally enforceable as disabled bays in their own right, but are normally respected by other drivers, and remain enforceable as permit bays contained within the CPZ Traffic Regulation Order, meaning that any vehicle not displaying a residents parking permit is liable for the issue of a Penalty Charge Notice.</p> <p>Within the CPZ, if a disabled bay is parked in by a driver with a residents permit, the Council has</p>

the sanction of withdrawing the permit under the rules of the CPZ scheme.

We have no record of advisory disabled bays being abused within or outside the CPZ.

In shopping areas, or car parks for example, disabled bays are provided that are subject to a Traffic Regulation Order. This means that anyone with a Blue Badge can park there at any time. These bays are enforced.

If advisory disabled bays were converted to statutory disabled bays this would mean that within the CPZ any disabled driver could legally park in them at any time and for any period. This would be likely to reduce available parking for residents, including disabled residents, within the CPZ. Additionally, the Council would have no information relating to the driver and would not be in a position to contact them and advise them of the inconvenience caused to the disabled resident that the bay was implemented for, which can currently be done in relation to CPZ permit holders. This is likely to pose a particular problem in match day zones when a significant number of blue badges are used by travelling fans from out of town.

A conversion to statutory disabled bays will also incur initial and ongoing costs as this will require the making of new Traffic Regulation Orders and subsequent amendment or revocation, which will be invoked where the resident that the bay has been provided moves away from the CPZ or otherwise.

No evidence has been produced to suggest that the current system is not operating effectively. No review would therefore appear to be warranted.

There is a system for enforcing Disabled Parking Bays as referred to above.

Please note that Blue Badge holders can park in limited wait bays for any time. This is subject to national regulation. Please see attached note. This cannot therefore be changed.

The Blue Badge system has recently been reviewed nationally, which has resulted in new style centrally issued blue badges and Council access to the County Council blue badge holder database. The Council has been working with the Police to identify fraudulent use of Blue Badges since December 2011. This is a partnership known as Operation Clamp and involves the deployment of Police Officer's, Civil Enforcement Officer's and Council Fraud Officer's to areas where the use of blue badges is known to be high, such as in the High Street and surrounding areas, Whippendell Road, St Albans Road and other locations in North Watford. These Officer's

	<p>jointly approach motorists arriving at a destination or returning to their vehicles who are relying upon the display of a blue badge. Where it is established that the holder of the badge is not present, the badge is seized and the driver is later interviewed under caution by the Fraud team. This has proved to be a highly effective and successful operation, which has resulted in a number of prosecutions and very positive comment from members of the public to both the Police and Parking Service. Whilst this operation also addresses the potentially significant loss of income to the Council caused by this form of fraud, it achieves the greater objective of ensuring that genuinely disabled members of the community have a higher chance of accessing the bays that have been provided for their use and social inclusion.</p>
<p>When was the last time this service was the subject of a scrutiny review?</p>	
<p>Is the issue something which will be of significant interest to the public and if so, how should this be managed?</p>	

<p>Sign off by Head of Service</p>	
<p>Jane Custance, Head of Planning</p>	<p>Date:</p>

Section 3 – Follow up Actions	
Agreed by Overview & Scrutiny Committee	Yes
Agreed Membership	Councillors Nigel Bell, Ian Brandon, Karen Collett, Sue Greenslade, Rabi Martins
Anticipated completion date	None set
Likely number of meetings	
Where will the findings of the Task Group be reported to and approximately when?	Cabinet – September 2013



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.



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

Tel No: 01923 278079
Fax No: 01923 278562
Ref: Disabled Bay Review
20 February 2013

Are You Always Able to Use Your Disabled Bay ?

The Council is undertaking a scrutiny review of Disabled Parking Bays that have been installed within the Borough.

In order to ascertain if the way we manage Disabled Bays needs to be reviewed, it would be helpful if you could provide us with a response to the two questions below relating to your Disabled Bay.

Question 1. How often have you been unable to use the bay because someone else has parked in the marked bay?

- a) never;
- b) occasionally (less than once a week);
- c) frequently (more than twice a week).

Question 2. Have you ever complained about the problem of cars parking in your allocated Disabled Bay? If yes who have you complained to:

- a) The Parking Shop
- b) Watford Council
- c) Your local Councillors

What was the outcome of the complaint?

Please use the reverse of this questionnaire for any comments.

Your input and any other comments you may have would be helpful. I have therefore included a pre paid envelope for your convenience. Please respond by Friday 15 March 2013.

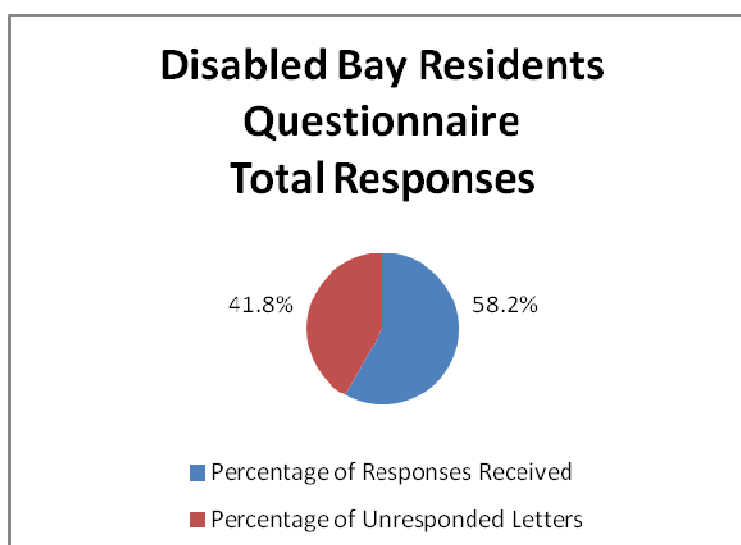
Many thanks

Barbara Staples
Senior Administration Officer

Disabled Bay Scrutiny Panel

A total of 170 questionnaires were sent out in mid February to residents in the Borough who currently meet the criteria and have a disabled bay marked on the road within the public highway.

We received 99 responses which provided a 58.2% response rate to the questionnaire which is a very good response for surveys of this type.



Question 1. Do you have problems with your Disabled Bay?

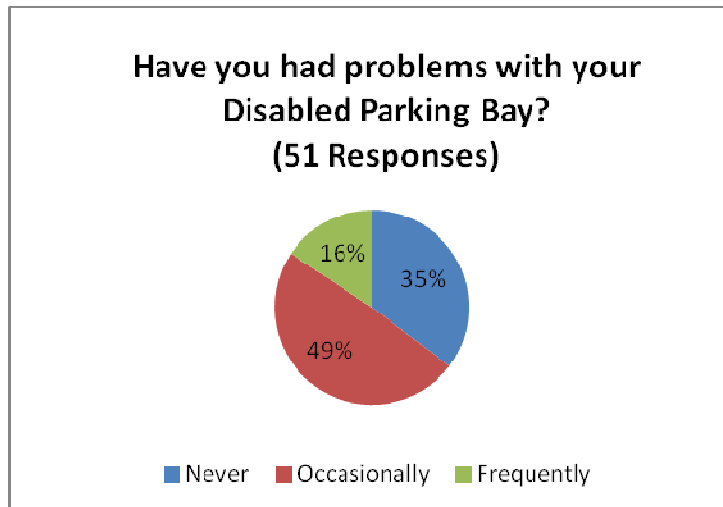
We received a total of 51 replies from residents living outside the CPZ.

18 residents have never had problems with their bay.

25 residents told us that they occasionally had problems and this included things like tradesman working at neighbours parking in their bay

8 residents reported that they frequently had problems with their bay and this included inconsiderate parking at school times and when there is football on.

The pie chart below shows the response as a % of the 51 residents who completed and returned the questionnaire.



Question 1. Do you have problems with your Disabled Bay?

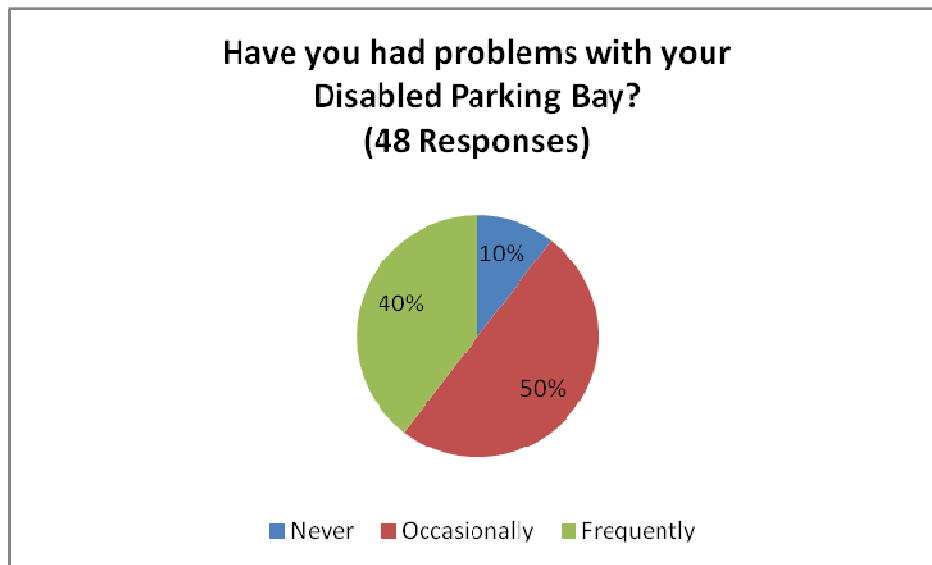
We received a total of 48 replies from residents living within the CPZ.

5 residents have never had problems with their bay.

24 residents told us that they occasionally had problems and this included things like tradesman working at neighbours parking in their bay

19 residents reported that they frequently had problems with their bay and this included inconsiderate parking at school times and when there is football on.

The pie chart below shows the response as a % of the 48 residents who completed and returned the questionnaire.

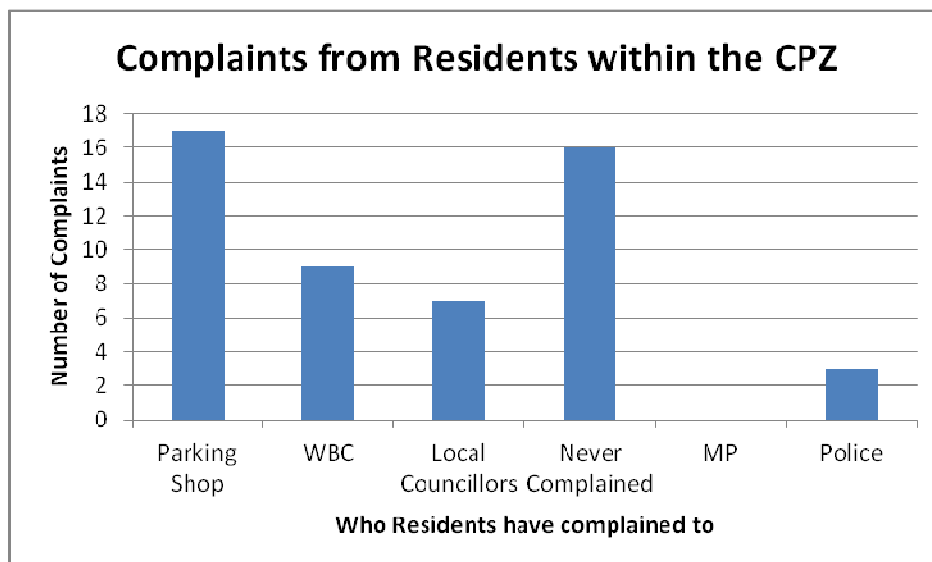


Question 2. Who have you complained to?

The column chart below relates to question 2 of the questionnaire.

Some residents told us that they had complained to more than one person. We received a total of 52 replies from residents living within the CPZ.

All of the responses have been included within the analysis.

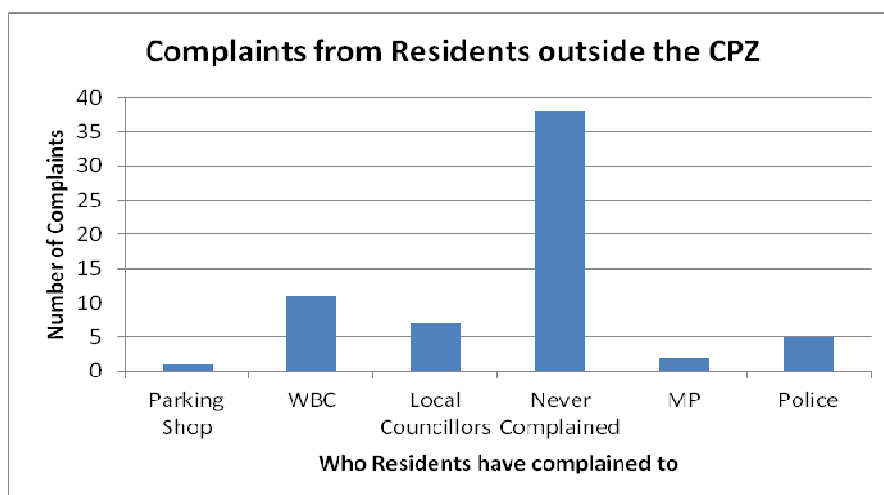


Question 2. Who have you complained to?

The column chart below relates to question 2 of the questionnaire.

Some residents told us that they had complained to more than one person. We received a total of 54 replies from residents living outside the CPZ.

All of the responses have been included within the analysis.



Other General Comments received from residents

We received a wide range of General Comments from residents which included the following:

4 residents told us that they had contacted the Council and letters had been sent by the Council which resolved problems with neighbours using their bay.

A total of 10 residents would like their Disabled Bay to be made larger with hatching placed either side to help with access.

11 residents told us that they have problems during school times and on match days.

7 residents told us that they would like the bay repainted in yellow paint, would like a sign as this would help during snow and would also like their house number put within the bay.

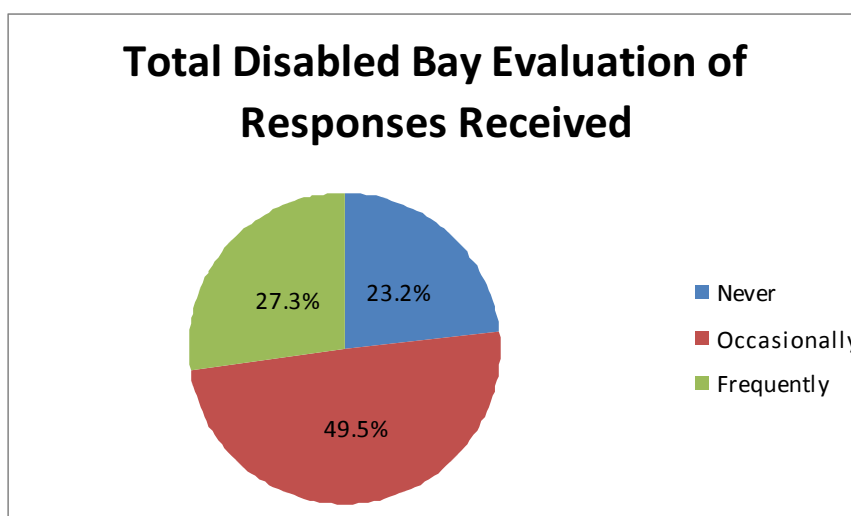
16 residents told us that they understand that the bay is advisory only.

13 residents told us (9 within the CPZ area and 4 outside the CPZ) that their bay had been used by other blue badge holders.

Overall summary and evaluation of the questionnaire

The pie chart below shows that of the 99 responses 72 % of the residents never or only occasionally had problems with their Disabled Bay.

A total of 27.3% (19 within the CPZ and 8 outside the CPZ) had frequent problems with other motorists using their bay. Many of the problems occur during school times or on match days.



Response to the General comments

We have enforcement powers available to us to deal with non permit holders parking in Advisory Bays located within the CPZ areas that is associated with school traffic and (where the match day scheme applies) football related traffic. For permit holders who use Advisory Bays inappropriately the Council already takes action by way of correspondence and this has proved to be effective in addressing the issue.

Outside the CPZ areas the level of problem is significantly less with only 16% of respondents indicating frequent problems.

The Traffic Signs Regulations and General Directions 2002 regulation 1028.3 provides the dimension details for Disabled Bays. The size for bays is a minimum 6.6m in length and a width of between 2.7m – 3.6m. To maximise road space Disabled Bays in Watford are marked out to the following dimensions L:5.5m W:2m and lettering size of 330mm.

The Regulations require Disabled Bays to be painted in white, lettering on the outside of the bays and no symbol required.

Officers Recommendations as a result of the survey

Highlight to the applicants the powers the Council has to address inappropriate use of the Advisory Bays. This advice could readily be included in the application paperwork and within routine correspondence sent out to existing residents with bays.

That the recently completed residents Disabled Bay survey/questionnaire be repeated in three years time to identify if the level of abuse has changed.

Consider the outcome of the survey in relation to the forthcoming CPZ review in relation to requests for expansion of zone operating hours to incorporate match day. This will provide addition protection for Advisory Bays from football related traffic.

MANAGEMENT OF DISABLED PARKING BAYS TASK GROUP

9 January 2013

Present: Councillor Martins (Chair)
Councillors Bell (for minute numbers 3 - 5), Brandon, Collett
and Greenslade

Also Present: Councillors Lynch (for minute numbers 3 - 5) and Mills

Officer: Head of Planning
Committee and Scrutiny Officer
Committee and Scrutiny Support Officer

1. ELECTION OF CHAIR

The Task Group was asked to elect a Chair for the Task Group.

AGREED

that Councillor Martins be elected Chair of the Management of Disabled Parking Bays Task Group.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. TERMS OF REFERENCE

The Chair suggested that the Task Group consider the terms of reference and then determine how to proceed.

The Committee and Scrutiny Officer advised on the time frame. She said that it would be advisable for the group's report to be presented at the March Cabinet. In order to achieve this, the report should be ready for the Overview and Scrutiny Committee meeting on 7 March.

The Chair recommended that the group decide what information would be required. He suggested that if it were not possible to complete the final document report by the March overview meeting, at the very least, an interim report should be presented at this time.

4. **MANAGING DISABLED PARKING BAYS - DISCUSSION**

The Chair advised that residents had reported that whilst there were disabled bays within the Controlled Parking Zones (CPZs) problems still arose for people who needed parking spaces within a short distance from their homes.

The Head of Planning pointed out that enforcement was possible within the CPZs; this could be achieved by taking the permit away from the culpable non-disabled resident.

The Chair asked whether, since the disabled bays in CPZs were advisory, any residents who had a permit could park in these spaces.

The Head of Planning replied that this was not the case and explained that when a resident with no 'blue badge' parked in a designated disabled bay, their permit could be confiscated following a complaint to the Parking Shop. She added that the Parking Shop had no records of such complaints.

Councillor Lynch noted seeming discrepancies in Queens Road. She advised that in this street there were both Pay and Display bays as well as two disabled bays. She said that blue badge holders could park for two hours in a disabled bay but could remain all day in the Pay and Display spaces.

The Head of Planning explained that this ruling complied with national regulations. She drew attention to page 16 of the Department of Transport booklet which stated that at 'on-street' parking meters and Pay and Display machines, Blue Badge holders could park free of charge and for as long as they needed to.

The Chair considered that there was a need to understand the extent of the problems and also to be advised where in the town the disabled parking bays were located.

The Head of Planning advised that two problems had been reported and that both had been reviewed. The first centred on a bay still remaining marked on the highway after the relevant disabled resident had died. The Chair had reported the second problem which concerned a vehicle, which did not display a Blue Badge, parking in a disabled bay.

The Chair suggested that it would be wise to survey residents to determine whether this issue was a serious problem for them.

The Task Group discussed cases where problems had arisen.

The Committee and Scrutiny Officer suggested that it would be wise to circulate the rules for advisory disabled bays within CPZs in the borough to all members of the Task Group. Further useful information for the group would be:

- whether it would be possible to apply time limiting restrictions to disabled users in Pay and Display bays
- Information on the scale of the problem regarding abuse of advisory disabled bays.

With regard to the survey suggested by the Chair, the Committee and Scrutiny Officer asked whether such a survey should be sent to all residents with an advisory disabled bay or to a sample of residents.

The Chair said that this would be best decided when it was known which questions the group would like answered. It was also agreed that it would be useful to know how many advisory bays existed before deciding who to contact. It was also necessary to consider the cost of carrying out the survey.

The Head of Planning added that the Task Group might like to know the procedure for making advisory disabled bays.

The Head of Planning then gave an explanation of the various types of bays for disabled users:

- Disabled bays, such as those provided for shoppers were subject to the statutory regulations: disabled users could only park if they displayed a Blue Badge.
- Advisory disabled bays in the CPZs could be enforced where the car belonged to a permit holder and did not display a Blue Badge.
- Advisory bays outside the CPZs were not enforceable.

The Head of Planning added that the installation of disabled bays within the CPZs generally promoted good neighbourliness and respect. In response to a suggestion from the Committee and Scrutiny Officer, the Head of Planning agreed that the required information could be supplied in table format.

Councillor Bell noted that outside the CPZ there was an average of two disabled bays in each road.

The Head of Planning advised that there had been a review of these advisory bays and that residents had been asked whether the bays were still required. Officers had then responded appropriately.

Councillor Mills reported that most local residents were accommodating in relation to the disabled bays but that occasionally visitors from other areas were not so considerate.

The Head of Planning replied that if the incident were reported then officers could write to the offender. She added that officers had recently reviewed the CPZ leaflets so that they were easier to understand.

Councillor Lynch asked how many residents had had their permits revoked.

The Head of Planning said that this information could be obtained from the Parking Shop.

The Chair considered that it would be wise to survey all residents who had an advisory bay.

The Committee and Scrutiny Officer suggested that all questions Members wished to be included in the survey should be sent to the Committee and Scrutiny Support Officer and these could then be collated and prepared as a questionnaire for final agreement at the next meeting.

The Chair suggested that the Task Group look at other councils' procedures with regard to disabled bays.

Members suggested that the group consider: Hastings, Hertsmere, Luton, Milton Keynes, Portsmouth, Rother Three Rivers District Council and South and Central Bedfordshire. It was decided that Members should also use their personal knowledge and contacts to help research the problems and possible solutions.

AGREED –

1. that officers clarify information on advisory bays within the CPZ and whether they are enforceable
2. that officers provide information (in table form) on the different types of disabled bays both in and out of the CPZ and whether these can be enforced
3. that officers provide information on the procedure for making advisory disabled bays

4. that officers clarify whether it is possible to apply time limiting restrictions to disabled drivers using Pay and Display bays
5. that officers provide information on the scale of the problem regarding abuse of disabled bays to include the number of complaints and feedback from residents
6. that a questionnaire be sent to residents who have advisory disabled bays outside their property
7. that officers provide to Members both the current CPZ leaflet and the proposed future one
8. that officers provide details of the number of bays in the borough and the procedure for checking whether they are needed.
9. that officers and Members collate information on other councils' procedures with regard to disabled bays. Possible councils to investigate would include: Hastings, Hertsmere, Luton, Milton Keynes, Portsmouth, Rother, Stevenage, Three Rivers and Central and South Bedfordshire

5. **DATE AND TIME OF NEXT MEETING**

- Tuesday 29 January 2013

Members agreed that 5.30 p.m. would be the optimum time to hold the meeting.

Group

The meeting started at 5.35 p.m.
and finished at 6.20 p.m.

Chair

Disabled Parking Bays Task

MANAGEMENT OF DISABLED PARKING BAYS TASK GROUP

29 January 2013

Present: Councillor Martins (Chair)
Councillors Brandon, Collett and Greenslade

Also Present: Councillor Lynch
Councillor Mills (for minute numbers 8 - 10)

Officer: Head of Planning
Committee and Scrutiny Support Officer

6. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Bell.

7. MINUTES OF THE MEETING ON 9TH JANUARY 2013

The minutes were agreed and signed.

8. REPORTS AND BACKGROUND INFORMATION

Members of the Task Group had received considerable background information from officers. It was agreed that, consequently, the Task Group had a more thorough understanding of procedures and regulations for Controlled Parking Zones (CPZs) and Advisory Parking bays.

The Chair said the key decision for the meeting was how best to establish the extent of the problem for residents with disabled parking bays. He suggested that evidence should be gathered through a survey of those residents who were affected.

Councillors Brandon and Collett advised that they had both had little casework concerning advisory bays.

Councillor Greenslade, however, stated that she was personally affected and that she considered that the criteria by which residents were entitled to a bay were very stringent.

The Chair reiterated that there was a need to test the situation as, at that point, Members had only hearsay evidence and little casework to go on. He considered that it would be wise to ask all those who had a bay whether they had encountered problems.

Councillor Lynch detailed the experiences of a resident in her ward and explained that problems with parking had caused the resident additional stress. She said that parking arrangements should be such that they improved residents' quality of life and suggested that each bay should be identified by the numbers of both the blue badge and CPZ permit.

The Chair agreed with Councillor Lynch but said that the issue for the Task Group at this point was to examine the situation with advisory disabled bays. The point made by Councillor Lynch, however, could be considered at a later date or when the group was considering ways to address problems identified through the survey.

Councillor Brandon suggested that one question on the survey could identify whether the types of problem Councillor Lynch had referred to were widespread. He agreed that a survey of residents would be wise.

The Head of Planning noted that there had been very little casework on the subject so far but agreed that a questionnaire could be sent out to ask those with advisory bays if they did have problems. She referred to Councillor Lynch's suggestion regarding displaying numbers of both the blue badge and the permit number and said that the Traffic Regulation Order for the CPZ could be amended to require both a resident's permit and blue badge to be displayed in marked disabled bays. Outside the CPZ, bays would have to be made statutory.

Councillor Mills expressed concern that blue badges would be stolen if left in cars over night.

Councillor Greenslade referred to the proposed loss of eleven parking bays at the Town Hall end of Watford and advised that motorists would then be inclined to use residents' bays.

The Head of Planning pointed out that the eleven spaces would be re-provided in Church car park and further noted the number of existing disabled bays as listed in the agenda.

Councillor Lynch advised that a permit for parking in the multi-storey car parks could be purchased for £10. She felt that a question for the survey could be whether, were residents to buy such a permit, they would use the multi storey car parks more frequently.

The Chair said that this and other related issues could be considered by the Task Group as a separate piece of work.

The Head of Planning advised that any new work would require a fresh proposal form.

9. **SURVEY FOR RESIDENTS**

The meeting agreed that they would conduct a survey and then discussed how this could best be achieved.

The Head of Planning considered that the list of questions as detailed in the agenda could be reduced and suggested that officers revise the list and forward on to the task group for their consideration.

The Chair agreed that the survey based on the questions proposed by members of the Task Group should be conducted by officers and the results considered at the following meeting of the group.

The Head of Planning offered to draft the survey and to circulate to the Task Group members prior to conducting the exercise.

In reply to a query from Councillor Brandon, the Head of Planning said that two people from her team could work on the survey. She pointed out that to receive a reasonable number of returned surveys it would be wise to wait until after the schools' half term break so that residents had sufficient time to consider their replies. The Head of Planning would advise of the timeframe for this exercise.

ACTION: Head of Planning

In view of the above, the committee noted that the original date of 9th March 2013 to report back to the Overview and Scrutiny Committee would now need to be revised.

AGREED –

That officers will conduct a survey, based on the questions proposed by the Task Group members, of the 170 households who currently have advisory disabled bays and prepare a report for the task group to consider.

That the next meeting of the Task Group would take place on 25th February 2013 starting at 6.00 p.m.

10. **DATE FOR NEXT MEETING**

- Monday 25th February 2013 at 6.00 p.m.

Task Group

The meeting started at 5.30 p.m.
and finished at 6.00 p.m.

5/2/13

Chair

Management of Disabled Parking Bays

MANAGEMENT OF DISABLED PARKING BAYS TASK GROUP

7 May 2013

Present: Councillor Martins (Chair)
Councillors Brandon, Collett and Greenslade

Officers: Transport & Infrastructure Section Head
Committee and Scrutiny Support Officer (RW)

11. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Bell.

12. MINUTES OF THE MEETING ON 29TH JANUARY 2013

The minutes were agreed and signed.

13. RESIDENTS' RESPONSES TO THE QUESTIONNAIRE

The Chair thanked the Members of the Task Group. He noted that this had been a much needed topic for scrutiny and had established the extent of the problems. He acknowledged that whilst misuse of disabled parking bays was not considerable, it did constitute an issue for some residents.

The Chair referred to the questionnaire and noted that most respondents had said that they had had a problem. He considered that this was significant and that these issues should be addressed.

The Transport and Infrastructure Section Head agreed that the survey had been useful and said that it had advised on problems which had not been realised beforehand. He noted that 99 responses had been received which demonstrated residents' interest in the subject.

The Task Group then discussed the findings in the Officer's report.

Councillor Brandon noted that parking generally was a problem in Callowland ward and said that it would be interesting to discover whether the overall parking issues in the borough were similar to those encountered by disabled drivers.

The Transport and Infrastructure Section Head advised that in the event of problems, residents were unsure what they could do. He explained that all holders of Blue Badges could park in those bays which were subject to a traffic order. Not all Blue Badge holders, however, could have a bay marked outside their own homes. He advised that strict rules applied to those who were entitled to such bays.

He suggested that one Recommendation be that information should be sent to residents explaining the rules for the disabled Parking Bays. He added that within the Controlled Parking Zones (CPZs), problems should be minimal since a resident's permit could be taken back were they to infringe the rules. He agreed that outside the CPZs a greater problem would exist.

He noted that one suggestion from residents had been to make the bays longer. He advised, however, that a balance needed to be kept between the needs of those with a disabled bay and those of other residents.

Councillor Brandon suggested that issues could be communicated to councillors in the wards where problems had been encountered. He said that not all problems would occur in all wards.

The Transport and Infrastructure Section Head suggested that a breakdown of disabled parking bays in all wards could be sent to all councillors in order that they could be made aware of potential problems in their areas.

The Chair agreed that this list should be sent and noted the responsibility that ward councillors had for their residents.

Councillor Collett commented on the permit which could be obtained by disabled drivers for use in the Intu Watford (Harlequin Centre) managed car parks but not the Watford Borough Council car parks. This permit would allow holders to park all year round for a £10.00 fee.

The Chair added that an article could be written for the 'About Watford' periodical with information on the survey and what actions residents could take in the event of problems.

Councillor Collett suggested that a letter of thanks should be sent to the 99 residents who had responded to the questionnaire as this would demonstrate that their opinions were valued and would be acted upon.

Councillor Brandon suggested that a survey be conducted every three years in order to monitor whether problems followed similar trends from year to year.

The Transport and Infrastructure Section Head commented that there could be additional feedback in the CPZ survey.

In response to queries on road markings, the Transport and Infrastructure Section Head advised that the markings were yellow but that under the current ruling road markings for disabled Parking Bays should be white. He advised that as a result of a suggestion raised at the previous meeting, he had asked Herts County Council Highways department whether the house number could be marked within the bay. He had been informed that this was not possible.

Councillors agreed that it would be wise to keep track of all calls received in relation to disabled parking bay problems by entering these in a 'log'.

Councillors also agreed that information from the survey be forwarded to Disability Watford.

14. **RECOMMENDATIONS**

AGREED –

1. That information be sent to residents explaining the rules which allowed for disabled parking bays to be established outside residents' homes.
2. That information be sent to residents explaining who could and who could not use the disabled parking bays.
3. That information be sent to all ward councillors detailing where Disabled Parking Bays had been established within their wards.
4. That an article be written in 'about Watford' informing residents that the survey had been conducted and advising on actions residents could take in the event of encountering problems.
5. That a letter of thanks be sent to all respondents to the survey.
6. That all Councillors keep a data log of information on all parking problems received from residents.

7. That information arising from the survey be forwarded to Disability Watford.
8. That information on the Disabled Driver Car Parking Scheme as used in the Intu Watford (Harlequin Centre) car parks be forwarded to members of the Task Group

Chair
Management of Disabled Parking Bays

Task Group
The meeting started at 6.00 p.m.
and finished at 6.20 p.m.

f-21/5

**The
Parking
Service**

The Parking Shop Watford Borough Council
71-73 Market Street, Watford, Hertfordshire, WD18 0PS
Tel: 01908 223508 Fax: 01923 248902
Website www.watford.gov.uk

M

TRA/02/1/JB/SE

Watford
Hertfordshire
WD

17 August 2011

Dear Mr,

Re: Disabled Car Park Pass Card

Thank you for your recent application for a Disabled Drivers Car Park Pass. Your application has been accepted and I have enclosed a Card for entry to the Harlequin Car Parks and a copy of the Terms and Conditions of use. The expiry date for your Card No. **** is ***** 201*. However, we will contact you in plenty of time prior to this date to arrange renewal

If you no longer require your card or change any of the details on your Application Form, please contact us on the telephone number above as soon as possible.

Yours sincerely

Watford Council Parking Service

DISABLED DRIVERS CAR PARK PASSES
TERMS AND CONDITIONS OF ISSUE

1. A person who is registered as a disabled driver and is the holder of a valid “Blue Badge” issued by Social Services, may apply for a Disabled Drivers Car Park Pass provided that: -
 - (a) The applicant is either permanently resident or has permanent employment within the Borough of Watford **AND**
 - (b) The applicant is in receipt of one of the following income related benefits:-
 - Housing Benefit, in the form of Rent Allowance or Local Housing Allowance for people living in rented accommodation
 - Council Tax benefit
 - Income Support
 - Job Seekers Allowance (Income based)
 - Working Tax Credit
 - Child tax credit
 - Guaranteed Pension Credit (not 'Savings Pension Credit')
 - Employment and Support Allowance (Income based)
2. There is an annual charge of £10.00 for a pass, which is valid for a period of twelve months, and your pass will be valid as soon as you receive it (or continue to be valid if you are renewing). It should be noted that passes are not automatically renewed and therefore, an application form must be submitted each year, together with a copy of **both sides** of your valid blue badge, your current vehicle registration number and proof of one of the income related benefits listed above.
3. Applications should be made to Watford Council c/o The Parking Shop and the application form must be accompanied by the annual charge.
4. No refund of the annual charge may be claimed.
5. **The pass is not transferable - it is issued subject to its use only by the disabled person to whom it is issued** and to the terms and conditions of the Borough of Watford (Off - Street Parking Places) Order 1990, (Variation No. 4) Order 1995.

Improper use of the pass will lead to forfeiture.

6. **The pass is issued only to the applicant and his/her vehicle;** accordingly please notify Watford Council immediately if the vehicle for which the pass is issued is replaced by another vehicle. Please note: **you must be present** on every occasion that the pass card is used and any misuse may lead to its immediate withdrawal.

7. The pass will be valid on any day for the multi-storey car parks in Watford that are operated by Capital Shopping Centres Plc., subject to a parking space being available. When parking your car, your blue disabled badge must be clearly displayed within the vehicle and you are asked to use the special wide disabled bays if they are available. The pass **must** be used both when entering **and** leaving the car park.
8. Vehicles and their contents are left in the car parks at the owners risk and Watford Borough Council, their servants or agents shall not be responsible for any injury to any person nor for any loss or damage to any vehicle or its contents, howsoever caused.
9. A charge of £7.00 will be made for lost cards.
10. The foregoing terms and conditions of issue may be subject to amendments by Watford Council.

All enquiries relating to the scheme should be forwarded to Watford Council, The Parking Shop, 71 - 73 Market Street, Watford, Herts. WD18 0PS. Telephone 01908 223508.

BIBLIOGRAPHY

The following documents were found to be useful:

1. The Blue Badge Scheme: rights and responsibilities in England

This is a useful leaflet for people issued with a Blue Badge . It includes and explains information on: who can use the badge, how it should be displayed, where users can and cannot park and other useful facts.

Copies of this leaflet can be downloaded from the DfT website at :

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/206022/blue-badge-rights-responsibilities.pdf

2. Watford Borough Council Parking Service Annual Parking Enforcement Report 2011/2012

In accordance with the Traffic Management Act 2004, local authorities that carry out Civil Parking Enforcement are expected to be accountable and transparent and as such are required to publish an annual report within six months of the end of every financial year.

This document gives information which includes enforcement activity, the financial aspect of civil parking enforcement and plans for the future.

The report can be downloaded using the link below.

<http://www.watford.gov.uk/ccm/content/parking/annual-parking-enforcement-report-2010-11.en>