

CABINET MEMBER FOR TRANSPORT- 2 SEPTEMBER 2010

DISABLED PERSONS' PARKING – HORTON AVENUE, THAME

Report by Head of Highways & Transport

Introduction

1. This report considers the proposed provision of a new Disabled Persons' Parking Place (DPPP), in Horton Avenue, Thame and associated No Waiting at Any Time (NWAAT) restrictions. This follows the publication of the draft Oxfordshire County Council (South Oxfordshire District) (Disabled Persons' Parking Places) (Amendment [No.5]) Order 20**, and the Oxfordshire County Council (Various Roads – South Oxfordshire) (Prohibition and Restriction of Waiting and Permitted Parking) (Variation No. 4*) Order 20**.

Background

2. In April 2010, a report was presented to the Cabinet Member for Transport on the outcome of public consultation on proposals for a number of DPPPs across South Oxfordshire District. As a result of an objection and subsequent advice from Thames Valley Police, the proposed DPPP in Horton Avenue, Thame was withdrawn (copy of supplementary report is attached at Annex 2).
3. This report considers the outcome of the subsequent formal consultation on the provision of a DPPP on the south-west side of Horton Avenue along with a length of NWAAT restrictions on the opposite side to enable the DPPP to be used without causing an obstruction (see plan at Annex 3). The April report set out the reasoning for the DPPP and the criteria that needed to be met for a DPPP to be considered.

Formal Consultation

4. The Directorate sent a copy of the draft Amendment Order, a Statement of Reasons for the Order and a copy of the Public Notice appearing in the local press to formal Consultees (including local County Councillors) on 8 June, 2010. These documents, together with supporting documentation as required, and the plan of the proposed DPPP and NWAAT restrictions were deposited for public inspection at County Hall, South Oxfordshire District Council offices at Crowmarsh, and at Thame Library. They are also available for inspection in the Members' Resource Centre.
5. Separately, the Directorate wrote to local residents in Horton Avenue where the proposed new DPPP and section of double yellow lines would be sited, asking for their comments. In addition a public notice was displayed at the site and in the Oxford Times.
6. Thames Valley Police raised no objection to the proposals.

7. Comments were received from four local residents and a synopsis of each comment with an officer response is set out at Annex 1. Copies of the comments can be viewed in the Members' Resource Centre.

How the Project supports LTP2 Objectives

8. The introduction of a new DPPP and supporting restrictions will help in Delivering Accessibility by enabling disabled people to park near to their homes and thus access a wider range of services.

Financial and Staff Implications (including Revenue)

9. The cost of installing the DPPP and no waiting restrictions is approximately £1,200 and will be met from the existing revenue budget provided for this.

RECOMMENDATION

10. **The Cabinet Member is RECOMMENDED to authorise variations to the Oxfordshire County Council (South Oxfordshire District) (Disabled Persons' Parking Places) Order 2006 and the Oxfordshire County Council (Various Roads - South Oxfordshire) (Prohibition and Restriction of Waiting and Permitted Parking) (Variation No. 4*) Order 20**, as amended in this report, to provide for:**
 - (a) **a new DPPP in Horton Avenue;**
 - (b) **a new section of No Waiting at Any Time restrictions opposite the DPPP.**

STEVE HOWELL
Head of Highways & Transport
Environment & Economy

Background papers: Consultation documentation

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August 2010

ANNEX 1

Comments on the Proposed Disabled Persons' Parking Place (DPPP)

| | Commentor | Comments | Response | Recommendation |
|---|--------------------------------|--|--|-----------------------|
| 1 | Resident, Horton Avenue | Approves of DPPP proposal as it will save the applicant "unnecessary worry and discomfort" and improve his mobility and quality of life. The no waiting restrictions are required to prevent "thoughtless parking causing obstructions." | Noted. | Proceed |
| 2 | Resident, Horton Avenue | Has ample parking off street and proposed DPPP won't really affect them. It will reduce the parking space available in the Avenue overall and might tempt drivers to park over the commentator's access. They suggest putting DPPP in applicant's own driveway. | Applicant doesn't have a driveway or any other off-street parking place. If the commentator's driveway becomes obstructed they might like to consider a Private Access Protection Marking to protect their dropped kerb. As applicant already parks in the road these proposals should not significantly affect the parking. | As above. |
| 3 | Resident, Horton Avenue. | Approved of proposal during telephone conversation, but has other concerns. Subsequent e-mail requests that proposed double yellow line restrictions be extended to the bend in the road outside No 12. No 12 has a drive around the corner and No 13 has a "double drive." The sole objector to the proposals has purchased another car purposely to park on the road and | Extending the double yellow lines would require a new consultation so best to proceed with the proposals as they stand and if problems persist – consult on an extension then. | As above. |

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| | | <p>create parking problems especially for the disabled applicant. He has said that if the proposals go ahead, he will park all his vehicles from the end of the double yellow lines to the corner. This will upset the usual parking practice and make it difficult for those opposite to access their drives and make it difficult for passing traffic including ambulances getting to and from the “old peoples bungalows at the end” of the avenue.</p> | | |
| 4 | Resident, Horton Avenue | <p>His position is as per previous e-mails in previous consultations – thinks bay should be outside No 10 (<i>No 10 has a driveway & bay is for applicant at No 8- author</i>). Believes that DfT guidance compels OCC to provide a ramp (<i>hard-standing – author</i>) on the grass verge for wheelchair users from side access vehicles. He is in the process of having the Blue Badge holder investigated as he doesn't believe he should qualify for a DPPP. He hopes the consultation process this time will be managed as a true consultation.</p> | <p>Department for Transport (DfT) regulations do not require road authorities to provide dropped kerbs or tarmac grassed areas adjacent to on-street DPPPs therefore this is not proposed. The applicant's eligibility for a Blue Badge has been investigated by the Social & Community Service Directorate and that eligibility remains.</p> | As above. |

CABINET MEMBER FOR TRANSPORT – 22 APRIL 2010**5. Disabled Persons' Parking Places – South Oxfordshire**

Supplementary Report by the Head of Transport

Proposed New DPPP in Horton Avenue, Thame

Thames Valley Police advise us that if a driver parked opposite an occupied DPPP, and in so doing blocked the road, providing they could establish that the DPPP was occupied first then they could charge the driver with obstruction. If the DPPP was empty and there were no restrictions on parking on the opposite side of the road, there is nothing to prevent a driver parking opposite the DPPP. If a vehicle correctly displaying a Blue Badge then parked in the DPPP and caused the road to be blocked, then the driver of the Blue Badged vehicle would be guilty of obstruction.

There is reason to believe that drivers may park opposite a DPPP in Horton Avenue and frustrate the disabled resident's efforts to use it so it is recommended that this proposal be withdrawn at this stage pending a review of the situation.

Revised Recommendation

The Cabinet Member for Transport is RECOMMENDED to authorise variations to the Oxfordshire County Council (South Oxfordshire District) (Disabled Persons' Parking Places) Order 2006 as amended in this report to provide for:

- (a) withdrawal of the proposal to provide a DPPP in Horton Avenue, Thame pending further review;
- (b) twelve (~~delete thirteen~~) new DPPPs as set out in Annex 1 to the report;
- (c) as (b) in original report;
- (d) as (c) in original report;