

DISABLED PERSONS PARKING BAY – LOCKHOLT CLOSE, ASHFORD

To: **Ashford Joint Transportation Board 9 December 2014**

Main Portfolio Area: **KCC – Enterprise and Environment**

By: **Director of Highways and Transportation, Kent County Council**

Classification: **Unrestricted**

Summary: FOR INFORMATION ONLY

This report gives an update on the progress of an application for a disabled persons parking bay at Lockholt Close, Ashford.

For Information

1.0 Legal Background

1.1 The provision of on-street disabled persons parking bays is a function granted to the highway authority (Kent County Council) under the Road Traffic Regulation Act (RTRA) 1984.

1.2 There is a general duty under the Equality Act 2010, for public authorities in exercising their functions to have due regard to the need to eliminate unlawful discrimination against disabled persons, advance equality of opportunity between disabled and non-disabled persons, and foster good relations between disabled and non-disabled persons.

2.0 Application history

2.1 In spring 2013 an application for provision of an on-street disabled persons parking bay was received from a Mrs Joanna Day of 43 Lockholt Close, Ashford on behalf of her infant daughter. This application met the criteria set for provision of a bay, and informal consultation on a proposed bay installation was conducted between Wednesday 26th June 2013 and Thursday 18th July 2013. 18 properties were sent a letter explaining the proposal and a plan illustrating the proposed location. In the course of the consultation, 3 responses were received in objection to the proposal) citing various grounds of objection.

2.2 Mrs Day was contacted following the end of the consultation period regarding the points of objection and invited to respond to. Notes outlining the application, consultation results and Mrs Day's response were taken before a meeting of the Disabled Persons Parking Bay Panel on Friday 20th September 2013. The application was declined by the Panel and following notification of this decision, Mr and Mrs Day expressed a desire to appeal against the Panel's decision.

3. Appeal to KCC Cabinet Member

3.1 After closely reviewing this evidence, a decision was reached by the Cabinet Member to introduce a Disabled Persons Parking Bay at the address. The decision was taken in accordance with statutory requirements, having been published for comments, considered, taken and a period of call-in observed

3.2 In order that the implementation of the decision was not unduly delayed following an already lengthy process it was agreed by officers acting under the Executive Scheme of Delegation and in consultation with the Cabinet Member that an interim advisory bay would provide the most effective means of implementing the decision. A disabled bay was informally introduced at a standard bay length of 5.5m and the Bay has been monitored for both demand and effect on traffic management and parking at the location. No problems have been observed or reported.

3.3 In the meantime a legal TRO has been proposed and advertised. As part of this process, all affected parties have been consulted and their comments with regard to the traffic management effects of the bay on the local situation have been considered and investigated where necessary. No formal objections to this bay have been received.

4 Conclusion

4.1 The Traffic Regulation Order to formalise the disabled persons parking bay at Lockholt Close will be made and the bay will be extended by 1m to meet legal requirements.

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