

The Vale of Glamorgan Council

Cabinet Meeting: 6 March, 2017

Report of the Cabinet Member for Building Services, Highways and Transportation

Windsor Road, Penarth - Proposed Disabled Person's Parking Place - Objection Report

Purpose of the Report

1. To advise members of an objection received to the proposed installation of a disabled person's parking place in Windsor Road, Penarth and to propose appropriate action.

Recommendations

1. That Cabinet reject the objection for the reasons contained in this report and that the disabled person's parking place is installed.
2. That the objector is advised of this decision.

Reasons for the Recommendations

1. To allow the Traffic Regulation Order to be made and implemented.
2. To confirm the Council's position.

Background

2. The Authority received a request from the disabled resident of 164 Windsor Road, Penarth for a disabled person's parking place to be installed in the Council adopted layby fronting their property.
3. The applicant expressed a preference for the disabled person's parking place to be installed at the most north westerly point within the layby due to there being fewer steps leading from the footway into the layby at this point. The location was agreed by the Authority as it was confirmed that it was the most convenient place for the disabled resident to park giving them ease of accessibility to their vehicle by wheelchair.
4. The applicant meets the current criteria as detailed in Council Policy for disabled person's parking places.

5. Under delegated authority the Head of Visible Services and Transport, in consultation with the Cabinet Member for Building Services, Highways and Transportation, gave approval to undertake statutory consultations and to give public notice of the Council's intention to install a disabled person's parking place in Windsor Road, Penarth. This approval was given on 7 July, 2016.
6. A letter of objection to the proposal was received from a resident of Windsor Road which is attached at Appendix A for consideration.

Relevant Issues and Options

7. This section of Windsor Road Penarth is a small terrace of five properties which do not have the benefit of any off street parking facilities. The only parking available for the residents is within the layby situated to the front of their properties.
8. This location suffers from extraneous parking not only from residents due to multi vehicle ownership, but in addition from visitors using the local facilities which include a leisure centre and public house.
9. Parking surveys have been undertaken at various times throughout the day, evening and weekend and observations have confirmed the excessive demand for on-street parking at this location.
10. The main points raised by the objector are detailed below, together with the traffic officer's response.
 - Concern 1:
 11. "When the traffic lights were repositioned from the junction of Windsor Road and Pill Street to their current location. Myself and my neighbours were assured by your colleagues at C1V and your department that we would actually gain more parking spaces. This has not been the case. We lost parking spaces. We have five dwellings on the event side of the road trying to share parking for 9 cars not including my neighbours across the road."
 - Officer Response 1:
 12. The highway safety scheme to relocate the existing traffic signals was introduced in January 2015. As part of the consultation process a letter drop was undertaken by the Highways Construction Group to nearby residents and businesses to advise them of the proposals, including the start date and anticipated time for completion.
 13. In addition, an advert was published in the local press advising of the proposal, prior to the start of works to avoid any inconvenience to motorists.
 14. It has been confirmed that no issues or concerns were raised by residents prior to and during the construction of this scheme.
 - Concern 2:
 15. "You haven't mentioned exactly how big the disabled bay is likely to be? The house holder who is applying for the disabled bay is a two car family. As I work Monday to Friday have been unable to visit Civic Office in Barry during working hours. Could you not have informed those who will be closely affected by this with the exact details?"
 - Office Response 2:
 16. As part of the statutory consultation process for the introduction of a new Traffic Regulation Order it is a legal requirement to advertise in the local press and erect a

copy of the Notice of Proposal on site to inform of the proposal and give anyone the chance to object. This was duly undertaken on 11 August, 2016.

17. In addition to the Notice of Proposal, a plan showing the exact location of the proposal disabled persons parking place was erected on site for clarity.
 - Concern 3:
18. "Where the parking bay is going to be positioned incorporates steps, and a long 'walk' from their house. Surely the person with a disability the best option would be a disabled parking bay with no steps? The only access to the proposed parking bay will be from Penarth driving to Cogan side of the road, therefore limiting the parking opportunities as the disabled person cannot leave the vehicle on the side of incoming traffic into Penarth i.e. on Windsor Road. Surely a better option would be on Pill Street where it is flat with no steps."
 - Officer Response 3:
19. As previously stated, the applicant expressed a preference for the disabled persons parking place to be installed at the most north westerly point within the layby due to there being fewer steps leading from the footway into the layby at this point. The location was agreed by the Authority as it was confirmed that it was the most convenient place for the disabled residents to park giving them ease of accessibility to their vehicle by wheelchair.
20. Pill Street was considered for the location of the proposed disabled bay as part of the initial investigation works but it was ascertained that Windsor Road was the preferred location because the applicant expressed the following concerns:

The distance to Pill Street from their property

Pill Street junction with Windsor is a very bus through route and the parking place would be on the highway opposed to in a layby

Pill Street in on a slight incline causing difficult for a wheelchair user.
- Concern 4:
21. "As your department has mentioned on numerous times...It is not the local authority's responsibility to clear leaves from tree's (planted in the Council land, overhanging public rights of way) in the autumn, winter season. Therefore why would it be in the council's best interest to place a disabled bay under a very large sycamore tree. Please remember the floods that happened on Windsor Road that caused damage to me and my neighbour's homes. We have asked your department to lift and reduce the crown of the tree but you have ignored our requests. Should the said disabled persons slip on the leaves from the tree trying to get to the parking bay, where the parking bay is planned who then is responsible? Let's not get into frost."
 - Officer Response 4:
22. The disabled applicant has lived at the property for many years and no incidents of this nature have occurred to them at the proposed location.
- Concern 5:
23. "Planning application 2016/00115/OUT has insufficient parking for the development proposed. No decision on the development has been made yet, yet already there is a spill over from the leisure centre to the local parking area. So by reducing parking is wrong. As residents we are being forced to park in Cogan Leisure Centre car park. This can't be right as there are no CCTV, or lights (which are switched off a

midnight) and with lots of youths congregating in the car park and a recent police incident involving anti-social behaviour and hate crime."

- Officer Response 5:
24. The details of the quoted planning application in relation to car parking are not a material consideration when considering the provision of a disabled person parking place at this location as there is no loss of any on street parking.
- Concern 6:
25. "Where do you actually expect people to park their cars nowadays?"
- Officer Response 6:
 - It is not the Highway Authority responsibility to provide private parking facilities for residents living within the Vale of Glamorgan.

Resource Implications (Financial and Employment)

26. The cost of making the Traffic Regulation Order and implementing the scheme is estimated at £1500, which would be met from the Traffic management's operational budget 2016 / 2017, and would utilise the Council's own resources.

Sustainability and Climate Change Implications

27. There are not sustainability and climate change implications with regard to this report.

Legal Implications (to Include Human Rights Implications)

28. The Road Traffic Regulations Act 1984 allows highway authorities to make and vary Traffic Regulation Orders to regulate the movement of vehicular traffic, restrict or prohibit certain classes of vehicle and to improve the amenities of an area.
29. There are no Human Right Implications with regard to this report.

Crime and Disorder Implications

30. This proposal will help prevent potential disorder arising from the demand for on street parking.

Equal Opportunities Implications (to include Welsh Language issues)

31. The proposal will benefit all disabled blue badge holders living within the community.
32. Any signage associated with this project will adhere to the requirements of the Council's Welsh Language Scheme.

Corporate/Service Objectives

33. To maintain and develop a safe and effective highway and meet objectives identified in Corporate Plan Well Being Outcome and Objection 4.

Policy Framework and Budget

34. This is a matter for Executive Decision by Cabinet.

Consultation (including Ward Member Consultation)

35. The Ward members were consulted on the proposal prior to and during the statutory consultation period and no comments were received.

Relevant Scrutiny Committee

36. Environment and Regeneration.

Background Papers

None.

Contact Officer

Wendy Smith - Senior Technician Traffic Management

Officers Consulted

Operational Manager Legal
Accountant - Building and Visible Services

Responsible Officer:

Miles Punter, Director of Environment and Housing Services