

Meeting of:	<b>Cabinet</b>
Date of Meeting:	<b>Monday, 06 December 2021</b>
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	Objection Report: Quarella Street, Barry - Proposed Disabled Persons Parking Place Traffic Regulation Order
Purpose of Report:	To advise Cabinet of an objection received and to propose an appropriate way forward.
Report Owner:	Cabinet Member for Neighbourhood Services and Transport
Responsible Officer:	Miles Punter - Director of Environment and Housing
Elected Member and Officer Consultation:	Accountant Environment and Housing Services Legal Services (Committee Reports) Head of Neighbourhood Services and Transport Ward Members: Councillor N Moore Councillor A Moore Councillor Nugent-Finn
Policy Framework:	This report is a matter for Executive Decision by Cabinet
<p><b>Executive Summary:</b></p> <ul style="list-style-type: none"> <li>• Quarella Street, Barry is a terraced residential street which suffers from extraneous parking due to multi-vehicle ownership by the residents of the street. Site observations have confirmed this problem.</li> <li>• An application was received from a disabled resident living in Quarella Street for an individual disabled persons parking, due to difficulties in parking.</li> <li>• Consequently, in order to assist the disabled resident the Council approved the application and is promoting a scheme to provide a disabled persons parking place on the carriageway directly outside of their property.</li> <li>• The statutory legal consultation began on the 6<sup>th</sup> May 2021 and concluded on the 28<sup>th</sup> May 2021, during that time two formal objections to the proposal were received.</li> <li>• Cabinet is required to consider the objections and decide whether the disabled persons parking place is implemented.</li> </ul>	

## **Recommendations**

1. The objections to the proposal be rejected for the reasons contained in this report and the proposed disabled persons parking place in Quarella Street be implemented.
2. That the objectors are advised of this decision.

## **Reasons for Recommendations**

1. To enable the Order to be made.
2. To confirm the Council's position.

## **1. Background**

- 1.1 Quarella Street, Barry is a terraced residential street which suffers from extraneous parking due to multi vehicle ownership by the residents of the street, which adds to the very high demand for parking at this location.
- 1.2 A disabled resident of Quarella Street applied for a disabled persons parking place to be situated directly outside of their property due their difficulties in parking. The applicant met the criteria contained within Council Policy and is a disabled Blue Badge holder.
- 1.3 The Council visited the location at various times of the during the day and at evenings and weekends to assess the parking levels and on every occasion the street was fully occupied with parked vehicles within the vicinity of the applicant's property.
- 1.4 On the 15th April 2021, the Cabinet Member for Neighbourhood Services and Transport and the Head of Neighbourhood Services and Transport gave approval to give public notice of a proposal to introduce a disabled persons parking place in Quarella Street, Barry.
- 1.5 The statutory legal public notice of the proposal was given on the 6<sup>th</sup> May 2021, inviting objections in writing, by the 28<sup>th</sup> May 2021 containing the grounds upon which any objection was being made.

## **2. Key Issues for Consideration**

- 2.1 During the consultation period two objections were received. Copies of the objections are attached in Appendix A along with a location plan of the proposed disabled bay. The main concerns raised are summarised below with responses given.

**Concern 1:**

- 2.2 *On the application form for a disabled parking space it states that a survey is done to see that there is no sufficient parking within 25 metres of the home, yet there is available space as the resident is always parked outside of the property.*

**Officer response 1:**

- 2.3 Council Policy states that five surveys must be undertaken at various times of the day to ascertain the levels of parking prior to an application being approved. It is confirmed that these surveys were undertaken and the criteria was met.

**Concern 2:**

- 2.4 *The resident walks his dog on a regular basis.*

**Officer response 2:**

- 2.5 The applicant has been contacted and confirmed that they do not own a dog.
- 2.6 Council Policy states that if the applicant has been through the needs assessment process for a Disabled Blue Badge and has been approved then they meet the criteria contained within the policy to obtain a disabled persons parking place without any need for any additional needs assessments.

**Concern 3:**

- 2.7 *The resident owns a holiday home and lives there for 10 months of the year.*

**Officer response 3:**

- 2.8 The resident has been contacted regarding this issue and they advised that they no longer own a holiday home so therefore will be residing at their property in Quarella Street all year round.
- 2.9 Based on the information and responses above in paragraphs 2.2 to 2.7 it is clear that there is no reason to reject this application and therefore it is recommended that the disabled parking place at Quarella Street proceeds.

**3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1 The proposals in this report will enable the Council to continue to work towards the Well-being Objective of current and future generations whilst addressing the needs of the people we currently serve. The introduction of the disabled persons parking place in Quarella Street will assist in protecting the local environment by

mitigating localised parking congestion and assisting to reduce emissions from stationary vehicles which are detrimental to air quality.

- 3.2** The effective management of the Council's local highway network contributes towards the prevention agenda by assisting in improving accessibility, road safety and air quality thereby preventing or reducing risk of harm to residents in the local community and providing a wider beneficial impact to the environment. It also balances short-term needs to maintain good highway infrastructure whilst contributing to the longer-term policy of reducing future impact on local communities by ensuring efficient use of the local highway network unnecessary road reduce noise and pollution.
- 3.3** The proposals outlined in this report are evidence of the Well-being of Future Generations Act and its Five Ways of Working by ensuring that, through good highway management, life in the Vale is improved over the longer term for residents and local communities. The measures taken to manage the local highway network should also assist in preventing unnecessary environmental harm and highway safety issues from escalating due to poor inappropriate road usage.
- 3.4** The process of developing this scheme has involved communication with the local community and other stakeholders via public notice and press advert thereby contributing and delivering on the involvement agenda by addressing community and other stakeholder priorities to ensure that the Council can successfully continue to work towards the delivery of its identified Well-being Objectives. It also demonstrates collaboration in ensuring that there is a unified and majority interest in delivering the scheme benefits described within the report.
- 3.5** The Well-being objectives identified above are compatible with the Council's corporate well-being goals and objectives contributing towards health and well-being of all members of society and playing a fundamental role protecting and enhancing the natural and built environment.

## **4. Resources and Legal Considerations**

### **Financial**

- 4.1** The cost of the Order and implementing the scheme is estimated to be in the region of £2500, which will be funded from the Traffic Management Operational Budget 2021/22.
- 4.2** The Council's own administrative resources will be used to progress the legal Order, should approval be given to overrule the objection.

### **Employment**

- 4.3** Progression of the Traffic Regulation Order will be carried out by the Traffic Management team within Neighbourhood Services and Transport and the Legal Department.
- 4.4** The implementation of road markings and sign works on site will be managed and undertaken by the Council's own in-house resource.

### **Legal (Including Equalities)**

- 4.5** There are no Human Rights implications in respect of this report.
- 4.6** The Council, as Highway Authority has a responsibility to ensure the safety of the highway user and may be found negligent if it does not meet its statutory obligations under the Road Traffic Regulation Act 1984 and the Road Traffic Act 1988.

### **5. Background Papers**

None.

## **Appendix A**

### **Objection One:**

*'Reference IF935. I oppose this application for the following reasons. This resident applied for a disabled parking space few years ago. A petition was signed by other residents in the street (my household included) and the application was refused. The petition was formed on the basis the resident has a holiday home and lives there for 10 months of the year. He also walks his dogs regularly around the area. The applicants wife also spends at least half a day washing their SUV vehicle each week. As far as I am aware, there have been no changes in the circumstances. The only reason he hasn't been to his holiday home for the past year is due to lockdown, but that is now over, and I see no reason why that would change (he has in fact recently been away). I have also seen him walking his dogs as well. I also note that on the application for a disabled parking space, it states that a survey is done to see that there is no sufficient parking within 25 metres of the home, yet there is. I walk my dog every night and his car is parked outside his house in the same space every night. Also, there are a few disabled residents in the street who are blue badge holders, one being my Partner. She has not applied for a disabled parking space as we know of a couple of residents who have applied in the past (one has since died) and who have been refused. It seems unfair that this resident has now applied and been accepted twice.'*

### **Objection Two:**

*'I am writing to you about the posts you have put on the lamp post in the street where I live, (Quarella St). It is concerning Quarella St Ref- IF935. The persons of this house are asking for a disabled bay and I object to it. You say you do 5 surveys of the level of parking in the vicinity of applicants house at different times to show No convenient parking space within 25 meters of applicants house. If you do this you will see he parks outside his house at anytime night or day. This person also walks his dog around the block at least twice a day. They also own a caravan to which they spend at least 9 months of the year there. If you look in your files this gentleman applied for a disabled bay a few years ago, and a petition was put in and he was refused, as far as I know his circumstances hasn't changed. I can get people in the street to sign a petition again but it want be as many as people have moved away or passed away. New neighbours wouldn't know the gentlemen's habits, As we have been in lockdown for the passed year he hasn't used his caravan but he probably will now. Another neighbour walks his dog at 11.30 at night every night and notices his car is parked out side his house all the time. If its for his wife the she is fitter then him, cleaning the car, going shopping and caravanning.'*



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Rev	Description of Amendment	Revisions	Date by	Date

**VALE of GLAMORGAN**  
 ENVIRONMENT AND HOUSING SERVICES

Director  
 Mair Penrith

**BRO MORGANNWG**  
 ENGINEERING

**Client**  
 The Vale of Glamorgan Council

**Project**  
 Quarella Street (19), Barry

**Drawing Title**  
 Disabled Persons Parking Place

Drawn	WS	Scale	SCALE	Project No.	AT54	Drawing No.	T/20/96
Date	MAR21	File		Rev			
Checked		Tracker					

