

Report



Joint Cabinet Member for Social Services and Streetscene

Part 1

Date: 15 June 2017

Item No: 01

Subject Disabled Parking Bays (DPB's)

Purpose This paper sets out the agreed revised policy and procedure documents between Social Services and Streetscene in relation to the provision of Disabled Parking Bays. The purpose is to ensure fairness and transparency in the allocation of resources and provide a mechanism for the resolution of disputes in relation to public consultation on the related Traffic Regulation Orders.

Author Service Manager Adult Social Services

Ward All

Summary The previous funding stream accessed by Streetscene to fund Disabled Parking Bays came to an end in 2014/15. Alternative funding has been identified through a discretionary budget of £10,000 per annum from the NCC DFG capital fund within Housing. The previous policy and procedures were also outdated, inconsistent and did not comply with new equalities legislation. Therefore in order to make best use of this limited source funding so that it can be used to benefit those with the greatest need, it was considered prudent to review the previous policy and application system in particular the criteria and also the impact of removal requests

The introduction of a revised Disabled Parking Bay Policy and criterion will enable people of all ages to apply whilst ensuring a more robust approach to allocation of limited resources. The revised Policy, Procedure, Guidance and Application now sets out a clear and robust process for considering requests and the interface between the Information Station, Social Services and Streetscene when managing applications through the stages. The revised policy also includes managing requests for removal of bays which did not have any previous guidance and the process for managing objections to the provision of a bay following public consultation.

Proposal To adopt and implement a revised policy and associated procedure (as per attached)

Action by Social Services and Streetscene

Timetable Immediate

This report was prepared after consultation with:

- Head Of Adult Services
- Head of Streetscene and City Services
- Customer Services Manager

- Senior Strategy Manager
- Senior Traffic Transport & Road Safety Officer
- Housing Renewals Manager
- Senior Traffic Transport & Road Safety Officer
- Customer Services Team Leader
- Senior Customer Services Officer

Background

The reasons for the proposals

Despite there being no statutory obligation on a Local Authority to provide Disabled Parking Bays Newport City Council has provided this facility on the basis the application met the required criteria. Social Services managed the initial application to determine eligibility and Streetscene managed the implementation and funding. There was no charge to the applicant.

Newport's previous criterion for determining eligibility was:

- That the applicant had a Blue Disability Badge
- That there was no available off-street parking, and
- That the applicant was the sole driver of the sole vehicle in the household.

The historic funding stream ended within Streetscene and while an alternative funding stream has been sought, legislative changes, a reduced sum and a less than satisfactory criteria and pathway has required the revision of the policy and criteria.

In addition there was also no previous remit around requests for removal or a protocol in place when objections were received from neighbours following the public consultation for a Traffic Regulation Order. The revised policy has addressed this and provided a streamlined approach.

It was also considered important to provide a more robust guidance to applicants and a streamlined process for managing applications through the various processes. This includes a central recording mechanism to ensure enquiries in relation to any application can be responded and redirected more effectively and efficiently.

The cost to provide a single Disabled Parking Bay is approximately £300 not including the legal and associated costs for the Traffic Regulation Order. Therefore to keep the legal costs to a reasonable level and ensure the maximum use of the current limited funds available is realised, the guidance to support the policy proposes that the advertisement of bays (stage 3) will be done in a batch only once a year to overcome duplication of advertisements costs. There will therefore be a cut-off date each year for accepting any successful applications. Any applications after this date will be held over until the next year pending availability of funds. While this can extend the time for provision of a bay it allows for more bays to be provided.

The cost to remove a single bay is approximately £150 not including any costs associated with revocation of the Traffic Regulation Order and again to keep costs to a reasonable level the removals will be done once a year at the same time of processing new applications.

The new funding stream for 2016/17 allowed for all historic applications prior to April 2016 to be processed under the old criteria. These are now going through the legal process associated with the Traffic Regulation Order. Enquirers since this date have been advised of the review of the policy and suspension of the previous criteria and their information held. Once the new policy is signed off, they will be contacted to see if they still wish to pursue their application, and if so, they will be provided with a copy of the revised application form and guidance.

The benefits expected

Individuals

- A clear and more transparent application process for applicants.
- Introduction of a more robust criteria and information required to determine eligibility to reduce any ambiguity.
- Introduction of comprehensive guidance which sets out the stages of the process, timescales and important information of note to inform the application.
- Introduction of an on-line application

- Introduction a central recoding system will enable enquirers to be responded to more efficiently and effectively in relation to any application, regardless of the stage it is at.

To the Local Authority

- The revised process explains and sets out clearly to the applicant the requirements/milestones etc. which should reduce inappropriate applications.
- The introduction of comprehensive guidance should reduce the number of enquiries into the departments during the process.
- Improved decision making.
- Clear central recording mechanism between all departments will provide a more effective and efficient response to enquiries thus reducing other parties being brought into to resolve issues around the process.
- Ensures the best use of limited funds to ensure the provision meets those with the greatest need.

Legal implications:

The introduction of a revised policy now complies with the Equalities Act 2010.

Timescales:

It is intended to implement the new policy and procedures as soon as is practical following approval and to review the situation after six months so that any issues arising in practice may be addressed.

Staffing issues:

No significant changes are anticipated in relation to staff.

Financial Summary

The cost for processing DPB application forms/correspondence will continue to be managed within existing resources in teams between Social Services and Streetscene. The cost of providing the bay itself and the legal/advertising/marketing etc. was in 16/17 funded at £10K from Private Sector's Housing 16/17 capital budget which has enabled all historical applications pre April 16 to be processed.

The continued funding of the provision of a Disabled Parking Bay is discretionary and it is proposed that the discretionary Housing Capital Fund can be accessed. The principle however will be to agree a number of applications each year based on an amount that is determined to be available. This consideration to the number of applications would be based on an annual amount of funding that is agreed at the beginning of each financial year, and undertaken at the same time as agreeing the allocation of the money based on the statutory demand of the DFG programme. If the demand out ways the provision then in principle it will be a 'first come, first served' basis, the latest received joining the list for the following year. However the demand and provision will be reviewed each year to consider the funding requirements.

Risks

At present there is no statutory obligation to provide Disabled Parking Bays. However should Newport City Council continue to allocate a budget each year for the provision there is no proposal to levy a charge for this facility. Discontinuation of the funding may require a consideration of charging for the provision or, discontinuation of the provision.

You will need to complete the following Risk table

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Lack of continuing Funding	Necessity to consider charging or	High	Change the criteria to ensure that only those with the greatest need are able to	Social Services/Streetscene

	discontinue the provision.		access this provision within in the limited funds.	
Increase in complaints due to robust criteria being introduced which will reduce those eligible.	Increased labour and time costs to manage complaints	Medium	The introduction of comprehensive guidance to reduce ambiguity around eligibility. Clear guidance of disagreement/dispute resolution.	Social Services/Streetscene Social Services/Streetscene

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

The provision of Disabled Parking Bays helps to maintain and support individuals with mobility issues to live as independently as possible.

Options Available

A Adopt and implement the proposed revised Policy and associated Procedure including the new criteria
B Reject the proposed revised Policy and associated Procedure.

Preferred Option and Why

Option A - There was a clear need to revise the current policy and procedures to ensure it was fit for purpose and ensure a limited resource was allocated to meet those most in need. It was also important to provide comprehensive guidance to applicants to reduce ambiguity and enable them to understand the process which was not available previously. The processing of enquiries has been suspended pending the outcome of this review and it is important that further delay is kept to a minimum.

Comments of Chief Financial Officer

The funding for this has been confirmed from the Private Sector Housing budget, therefore there are no revenue implications from this proposal for this financial year. However, the funding arrangements need to be earmarked from this capital budget over the long-term if this policy is to continue.

Comments of Monitoring Officer

The Council does not have a specific statutory duty to provide disabled parking bays. The only duty is to make suitable provision to assist disabled persons with assessed transport needs. This was traditionally linked with assessments carried out under the Chronically Sick and Disabled Persons Act and the National Assistance Act in relation to disabled adults. With the advent of the public sector equality duty under the Equality Act 2010, the Council now has to ensure that any policy on DPB's is equally applicable to disabled children. This also links in with the common assessments of need for care and support for both adults and children now required under the Social Services and Well-Being (Wales) Act 2014. Therefore, if the Council is to continue to provide DPB's, the current policy needs to be updated to reflect the equalities duties and the need to allow for applications to cater for the assessed needs of disabled children. Also, given the lack of identified funding, then the processes and eligibility criteria need to be tightened up to ensure fairness and transparency. Although the initial eligibility for a DPB is based on a social care and needs assessment, its implementation is a traffic management issue and requires a statutory process under the Road Traffic Regulation Act. The designation of a DPB under the Road Traffic Regulation Act does not make provision for the exclusive use of the bay by the particular disabled resident and any blue badge holder is eligible to park there. Therefore, the Council has a discretion as to whether or not to make the designation, regardless of any qualifying disability. In deciding whether or not to make such a parking order, the Council can have regard to the cost implications and would be able to impose a discretionary charge to recover its costs under Section 93 of

the Local Government Act 2003, although there is no intention to impose any such charge at the present time. However, as with all discretionary powers, the Council has to be seen to be acting fairly and reasonably and, therefore, the adoption of a written policy would assist in ensuring a consistent approach. Given the funding restrictions, then it would be reasonable to restrict the advertising of new bays and the removal of old bays to once a year and to deal with applications on a strict date order basis. Any unresolved highway-related objections to proposed traffic regulation orders would need to be determined by the Cabinet Member.

Comments of Head of People and Business Change

As noted in the report all aspects of the sustainable development principle of the Well-being of Future Generations (Wales) Act has been considered in the development of this proposal.

Also, as required a Fairness and Equality Impact Assessments (FEIA) has been completed. This should be reviewed and updated in six months, in line with the first review of the new policy and procedures.

There are no significant HR implications in relation to this report. Some changes might be necessary in terms of the processing work for staff but these should be minor amends to job descriptions / staff workload which can be communicated by Managers.

Comments of Cabinet Members

The Cabinet Members for both Adult Social Services & Housing and Streetscene have been consulted on the report and policy. They have agreed the report and fully support the Council continuing to provide a number of Disabled Parking Bays for those people in the greatest need.

Comments from Non-Executive Members

Councillor D Fouweather:

I fully understand the cost implications of providing disabled parking bays. However, only carrying out this work once a year could add lengthy delays to some applicants who may be in a position where they simply can't wait a whole year for the work to be carried out.

With regards advertising the legal documents. Is it not possible to use Newport Matters which is a council owned publication and therefore the cost would be minimal?

Can you tell me how many people are on the current waiting list for bays and the how long they have been waiting?

Response from CMs for Social Services and Streetscene:

- The decision to advertise only once a year was to ensure we could maximise the provision with limited funds due to the associated costs. It was recognised this would result in a time lapse for some people in this provision. However this was considered preferable over advertising more frequently each year which would result in decreased funds available and therefore fewer parking bays being able to be facilitated. The outcome with this approach would potentially mean that people would be waiting even longer.
- The appropriate regulations state that, before making a Road Traffic Order, it must be advertised at least once in a newspaper circulating in the area to which the order relates before it's made and within 14 days of it being made, (*S7 & S17 Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996*). For a temporary order, notice of intention to make the order must be published at least 7 days before the order is made and within 14 days of the order being made, (*S3(2) Road Traffic (Temporary Restrictions) Procedure Regulations 1992*).

Cllr Fouweather has questioned whether it's possible to advertise the notices in Newport Matters, to save costs. I understand that Newport Matters is only produced 6 times a year and is distributed to every address in Newport. Due to timing constraints, it's not always feasible for notices to be advertised in Newport Matters. However, where there's no urgency and the deadlines permit it, they are currently advertised in Newport Matters.

- The provision of DBP was suspended in May 2016 pending a new funding source being identified and the requirement to review the policy and process. At this time we do not have a definitive number of people under the new process who have been fully assessed as meeting the criteria at all stages for the provision of a bay. We will work through all enquiries to facilitate any applications under the new guidance.

Councillor J Watkins:

Requests for installation of parking bays should be looked at very carefully and if valid installation should go ahead asap as they are a necessary facility to support people with serious mobility issues, however the criteria to be met should be clear and unambiguous. There should also be a policy of providing dropped kerbs where appropriate again to facilitate easier access for users of mobility scooters etc.

Response from CMs for Social Services and Streetscene:

- As above, the decision to advertise only once a year was to ensure we could maximise the provision with limited funds due to the associated costs. It was recognised this would result in a time lapse for some people in this provision. However this was considered preferable over advertising more frequently each year which would result in decreased funds available and therefore fewer parking bays being able to be facilitated (thus decreasing the overall support for people with mobility issues). The outcome with this approach would potentially also mean that people would be waiting even longer.
- The provision of a dropped kerb would only be carried out with recommendation of the Social Services assessment of the applicant. I am aware that a dropped kerb can in some situations be both a help and a hindrance depending on the mobility needs of the applicant. Therefore there is no requirement for a dropped kerb for the creation of the bay and implementation of the traffic order.

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

See separate EQIA report.

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

Report writes need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term need. **The policy will be reviewed initially after six months of implementation and then every 2 years to ensure the provision of the service is sustainable.**
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives. **The policy supports greater independence for individuals with disabilities in relation to transport needs.**
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies. **The policy supports a number of wellbeing goals through equitable access to a service provision.**
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives. **The policy has been jointly developed and agreed with Streetscene due to the nature of the provision.**
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve. **Full involvement and consultation with all parties invested in the provision of the service has taken place.**

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

N/A

Background Papers

N/A.

Dated: 15 June 2017

Fairness and Equalities Impact Assessments F&EIA (2014)

This form provides an assessment of a policy or proposed change to see whether it promotes fairness and equality, eliminates any unintended discrimination and has positive outcomes for the population of Newport. This Impact Assessment should be used to affect policy and service planning decisions.

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation. We also consider promoting the Welsh language.

This assessment provides evidence that we have considered the General Equality Duty (below) in our decisions, to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations

Service Area	Head of Service:	Person responsible for the assessment:	Date of Assessment Version (if applicable)
Adult Social Services	Chris Humphrey	Joanne Ascott	

1. What is the service/ policy being assessed?

The provision and removal of Disabled Parking Bays

2. What is the purpose of the policy/ service change?

There is no statutory obligation on any Local Authority to provide Disabled Parking Bays but Newport has supported this provision and is looking to continue subject to funds being made available each year. The previous arrangements and criteria for the provision were outdated, inconsistent and did not comply with changes in legislation. The funds that are available are limited and therefore it has been necessary to review the policy/criteria and to set out a more robust framework to manage and support applications through the process.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users?	If we take this decision what is the potential impact? The impact may be either positive or negative. Explain in what way they may be affected and the evidence of this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who will be responsible?	Timeframe to review
Age	All citizens of Newport	1. Previous criteria did not allow us to consider equitably applications from children with disabilities. This policy now allows any application to be considered.	1. All applications would be considered equitably and have the same criteria applied reducing any discrimination.		

Gender reassignment		N/A			
Disability	All citizens of Newport	<p>The previous criteria did not provide a robust framework/scrutiny or evidenced based process to ensure transparency and decisions were often ad hoc and inconsistent which did not support equity or fairness in service provision.</p> <p>2. The robust and transparent policy and criteria will exclude conditions that previously allowed parking bays to be provided. i.e driver not required to live at house potentially leaving marked bay empty for significant periods of time.</p>	<p>1. All applications would be considered equitably and have the same criteria applied reducing any discrimination.</p> <p>2. The ability for citizens to park outside or near their own home is a valued commodity and it important that those most in need are supported whilst maximising capacity to all residents where parking can be limited.</p>		
Marriage/Civil Partnership		N/A			
Pregnancy and Maternity		N/A			
Race		N/A			

Religion/belief (or the absence of)		N/A			
Sex		N/A			
Sexual Orientation		N/A			
Welsh language		N/A			

4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation and at this stage should be along broad themes, rather than specific proposals. It is appropriate to ask what services are valued, how services could be changed and / or what could be done differently within a specific range of services. This feedback should then inform your business case proposals and the F&EIA. However, you will also have to note here the specific groups you will need to consult with once proposals are formulated and the timescales for doing so.

Consultation has been held with all departments involved in the pathway for provision of a marked bay.

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

To inform the new policy and criteria a range of information was gathered from other LA's who continue to provide the service to ensure that the proposals for Newport were in line with other areas.

6. How will the relevant groups be advised of the changes and the F&EIA?

All information in relation to the provision of parking bays will be available on line or sent out as requested.

7 How will the policy/ practice make Newport more or less fair in relation to:

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

The policy/practice will not reduce fairness in any of the above areas.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

The service will not negatively impact deprivation.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

Parking is becoming a more contentious issue for residents and it therefore important to ensure that any application that will impact on available space to park is transparent and fair and can evidence a clear need for the provision. The policy also now includes support to remove bays should they no longer be required which ensures maximum use of limited space.

10. In summary, how does the changed service /policy promote equality?

Any citizen can now apply for a bay regardless of age and can expect the same criteria applied which supports a fair and transparent approach to decision making and provision.

11. In summary, how does the changed service /policy eliminate discrimination?

Previously the criteria did not support applications on behalf of children with a disability. This has been addressed in the new policy.

Completed by/ Date: Joanne Ascott 9. 11.16

Signed off by/ Date:



Policy on Disabled Parking Bays

Purpose:

To set out a jointly agreed Policy document between Social Services & Streetscene in relation to:-

- (1)** applications for Disabled Parking Bays in Newport
- (2)** objections to the Traffic Regulation Order
- (3)** requests for removal of a Disabled Parking Bay

DOCUMENT HISTORY			
Version number:	V2 (Short)	Status:	Final
Date Written	Joanne Ascott	Dates of Issue for consultation	
Equality Impact Assessment			
Supporting documents			
Authorised by: Council Cabinet Leadership Heads of Service Adult Management Team Children's Management Team	Date: 30.05.2017	Ratified by:	Date:
Lead Responsibility:	Author:	Implementation Date:	Review Date:
Outcome of Review:			

NB

This *Policy* supersedes previous policies on this topic.

Table of Contents

- 1. INTRODUCTION**
- 2. PURPOSE**
- 3. SCOPE**
- 4. POLICY**
- 5. IMPLEMENTATION AND REVIEW**

No table of contents entries found.

- 1. INTRODUCTION**

There is no statutory obligation on **any** Local Authority to provide Disabled Parking Bays. However, where they are provided, they are for the use of **anyone** who is able to display a valid blue Disabled Badge.

Newport has always supported provision of Disabled Parking Bays, although this was on an ad hoc basis and previous criteria did not allow us to consider applications on behalf of children with disabilities. The provisions of the Equality Act of 2010, which consolidated, strengthened and simplified discrimination laws requires us to consider all applications.

There was no previous guidance on requests for removal of bays or managing objections to Traffic Regulation Orders following public consultation which this policy provides.

2. PURPOSE

The purpose of this Policy is:

- To provide clear guidance and decision making.
- To remove inequality and to ensure fairness and transparency in the allocation of a scarce resource.
- To provide a process for removal of a bay

3. SCOPE

The change we are now proposing is this policy will apply to all persons – of all ages - with substantial and permanent disabilities, who reside within the Newport Local Authority area and who apply, whether in person or *via* a third party, for the provision of a Disabled Parking Bay outside their home.

4. POLICY

There is no statutory obligation on **any** Local Authority to provide Disabled Parking Bays, however it remains the policy of Newport City Council to continue to fund a limited number of applications, processed through transparent, equitable and stringent criteria for as long as funds remain available. However a Disabled Parking Bay, as applicable nationally, is not designated for the personal and exclusive use of an individual, but for anyone able to display a valid Blue Disabled Badge.

The policy now sets out the three stages that need to be realised for a bay to be provided. It is noted that at any stage a bay may be declined.

Stage 1 - Criteria for new applications.

- That the applicant has a valid Blue Disabled Badge.
- That the applicant has a substantial and permanent disability which seriously compromises his or her mobility.
- The applicant should be the disabled driver of the vehicle for which the parking space is provided.
- If the disabled person is not the driver but the passenger of the vehicle, it is reasonable to expect that an able driver should make arrangements in order to embark or set down the disabled passenger and then remove the vehicle afterwards to an appropriate parking space. A bay may be considered where the passenger:
 - Requires substantial physical assistance from the driver of the vehicle when entering or leaving the vehicle.
 - Is sufficiently mentally or physically incapacitated to necessitate constant supervision by the driver.
- The nominated driver must reside at the same address and the vehicle registered at the same address. Consideration will not be given for requests to be able to pick up/drop off where the driver does not reside at the property.
- The applicant is in receipt of Higher Rate Mobility component of Disability Living Allowance or Enhanced Mobility component of Personal Independent Payment (Higher Rate Attendance Allowance for over 65's)
- That there is no available and suitable off-street parking.
- Further assessment may be undertaken to determine eligibility.

Stage 2 - Site Suitability.

To provide a Disabled Parking Bay it is subject to site suitability and has to be accompanied by a Traffic Regulation Order. This is a legal requirement and there are a series of steps that Streetscene have to complete before it can be passed as a legal document. This is in accordance with the Road Traffic Regulations Act 1984 Sections 32 (1) and 35 (1).

Any Disabled Parking Bay will only extend to the property boundary or 6.6 meters whichever is the smallest.

Applications can be turned down at this stage.

Stage 3 - Traffic Regulation Order.

The Traffic Regulation Order is subject to public consultation which requires statutory advertisement of the proposal (normally by way of a notice in the local press, site notice or occasionally a letter to individual properties in certain circumstances). It is possible that objections may be received to the proposed Disabled Parking Bay. A report to the Cabinet Member for Streetscene and City Services will be required if objections are received to a particular location in order to determine the outcome

Applications can be turned down at this stage.

Removal of an existing bay.

Applications will be considered as long as funds are available.

5. IMPLEMENTATION AND REVIEW

The new policy will come into immediate effect.

The capacity to provide Disabled Parking Bays is subject to the ability to identify a funding stream to support continued installation. As there can be no guarantee of continued funding, it is possible that this facility may be withdrawn. Alternatively, the Council may consider introducing some form of charging to contribute to the cost of installation of Disabled Parking Bays.

In the event of being able to continue funding Disabled Parking Bays, the Policy and accompanying Procedures will be subject to review every two years.

PROCEDURE FOR PROVISION OF A DISABLED PARKING BAY

(To be used in conjunction with the Policy on Disabled Parking Bays - January 2017)

Section:

- 1** Stage 1 - Enquiry received about a Disabled Parking Bay (DPB)
Stage 2 - Successful applications passed to Streetscene
Stage 3 - Public Consultation on Traffic Regulation Order

Removal of an existing bay
- 2** Flow Chart
- 3** Guidance & Application Form for a Disabled Parking Bay
- 4** Sample Letters

SECTION 1

Stage 1 - Enquiry received into the City Contact Centre about a Disabled Parking Bay (DPB)

- Make the 'active offer' – does the person making the enquiry wish to pursue the matter in Welsh?
- Establish who the DPB is for and at what address.
- If possible, provide overview of the criteria and the stages.
- If enquirer still wishes to pursue application send out application form and guidance notes or direct to on line application.

On receipt of an application for a DPB:-

- Record the application request appropriately within the social services database, including responses to the 'active offer'
- Check that all questions have been appropriately answered and that all supporting documents have been provided as required.
- Return application if any information is missing and record outcome on database.
- Has the criteria been met?
 - If **yes**, forward application to Streetscene for further processing. Letter (DPB Stage 1 Criteria Met) to be sent and outcome recorded on database.
 - If **no**, Letter (DPB Stage 1 Criteria Not Met) to be sent to applicant to inform them that their application will not be processed any further on the grounds of not meeting current criteria and record outcome on database.
- If a further assessment is required the application form will be passed to Social Services.

If an applicant believes their application has been incorrectly assessed against relevant criteria, they may request the application be reviewed. The decision following a second review is final and there is no appeal or complaint process regarding the decision.

All successful applications will also be recorded on a central database for applicants who will be accessible by the City Contact Centre, Social Services, and Streetscene. All departments will be required to update this database at any stage of the process to enable enquiries into the City Contact Centre to be answered or redirected appropriately.

Stage 2 - Approved applications to be considered by Streetscene.

On receipt of an approved application following Stage 1, Streetscene will undertake a site appraisal; consider the effect of having a Disabled Parking Bay on traffic flow and other highway related matters. If from a highways stand-point it is not possible to place the bay outside the applicant's house or the immediate vicinity, Streetscene will refer back to the City Contact Centre who will liaise direct with the applicant to determine the most appropriate alternative location with reference to the applicant's individual circumstances.

Stage 3 - Statutory Advertisement of proposed Traffic Regulation Order.

Prior to the statutory advertisement a review of all pending applications will be undertaken by the City Contact Centre/Social Services to determine if any circumstances have changed from the original application.

To ensure maximum use of a limited resource the advertisement of bays will be done once a year. There will therefore be a cut-off date each year for accepting any successful applications. Any new applications received after this will be added to the following years' list of applicants.

If any objections to the Traffic Regulation Order are received, Streetscene will refer back to the City Contact Centre who will liaise direct with the applicant to determine if there is an appropriate alternative location with reference to the applicant's individual circumstances. If there is no suitable alternative a report will be sent by Streetscene to the Cabinet Member for Streetscene and City Services to make the

final decision.

Request for removal of a DPB

If an enquiry is received requesting removal of the:

- Address of where the bay is marked to be established.
- Information to be gained why the bay is no longer required.
- Details to be forwarded to Streetscene.

SECTION 2 PROCESS FLOWCHART

Application received within City Contact Centre (**Stage 1**)

Application examined:

- 1) That all questions have been appropriately answered
- 2) That all supporting documents have been provided as required.
- 3) Application returned if documentation/information missing (Letter DPB

Completed application scrutinised – has the criteria been met?

If **YES** – Notify the applicant that the application will be forwarded to Streetscene, but may still be turned down for traffic management reasons, and may take some time to process and that if at any time the DPB is no longer required, the Council should be informed.

If **NO** – Notify the applicant that the application has been refused as the criteria was not met.

If further assessment required, application to be passed to First Contact Team Adult Services

Application passed to Streetscene (**Stage 2**)

Traffic Order Process commences to determine any traffic management issues. Streetscene to liaise with City Contact Centre to contact applicant if any barriers are identified and to notify applicant if bay cannot be provided as a result.

If there are no barriers a Traffic Regulation Order will be applied for (**Stage 3**). This will take place once a year.

Unresolved objections to the Traffic Regulation

NO - Bay to be provided.

YES - The objections to be considered by Cabinet Member for Streetscene and City Services. This decision will be final in relation to the application,

SECTION 3



Guidance & Application Form for a Disabled Parking Bay

Newport City Council may provide a Disabled Parking Bay for Blue Badge holders provided they meet certain conditions. A Disabled Parking Bay is a white outline on the highway, measuring approximately 6 metres, with the word DISABLED written alongside it. A sign stating 'Blue Badge Holders Only' is affixed nearby. **It is important to note that ANY Blue Badge holder can park their vehicle in a bay, provided they display a valid Blue Badge and is not for the exclusive use of the applicant and not intended to be used solely for picking up and dropping off passengers.** There are several stages to the provision of a bay and at any stage the application may be declined.

Stage 1 - Criteria

An application needs to meet the following criteria

A - The applicant *must* hold a valid Blue Badge.

B - That the applicant has a substantial and permanent disability which seriously compromises his or her mobility

C - The applicant should be the disabled driver of the vehicle for which the parking space is provided.

D - If the disabled person is not the driver but the passenger of the vehicle, it is reasonable to expect that an able driver should make arrangements in order to embark or set down the disabled passenger and then remove the vehicle afterwards to an appropriate parking space. A bay may be considered where the passenger:

- Requires substantial physical assistance from the driver of the vehicle when entering or leaving the vehicle.
- Is sufficiently mentally or physically incapacitated to necessitate constant supervision by the driver.

E - The nominated driver must live at the same address as the applicant and the vehicle be registered at the same address. Consideration will not be given for requests to be able to pick up/drop off where the driver does not reside at the property.

F - The applicant must be in receipt of the Higher Rate mobility component of Disability Living Allowance or enhanced mobility component of Personal Independent Payment, (Higher Rate Attendance Allowance for over 65's).

G - There is no available and suitable off - street parking.

H - Further assessment may be undertaken to determine eligibility.

Stage 2 - Site Suitability

If an application meets the criteria in stage 1 it is then considered by Streetscene to continue the process. To provide a Disabled Parking Bay it has to be accompanied by a Traffic Regulation Order the outcome of which cannot be guaranteed. This is a legal requirement and there are a series of steps that Streetscene has to verify before it can be passed as a legal document i.e. conduct surveys, consider the effect of having a Disabled Parking Bay on road safety, traffic flow and other highway related matters. This is in accordance with the Road Traffic Regulations Act 1984 Sections 32 (1) and 35 (1).

Any DPB will only extend to the property boundary or 6.6 meters whichever is the smallest.

Where it is not possible to provide a bay at the location specified, alternative locations will be considered with the applicant.

Applicants can be turned down at this stage.

Stage 3 - Traffic Regulation Order

The Traffic Regulation Order is subject to public consultation and it is possible that objections may be received of such a nature that there is no guarantee the bay will be implemented. If objections are received and no suitable alternative can be determined the Cabinet Member for Streetscene and City Services will make the final decision.

Important Notes

For successful applicants the process of introducing disabled bays does take time, therefore immediate action on your request cannot be guaranteed.

To ensure maximum use of limited resources bays are advertised (stage 3) in a group only once a year, which will also impact on the length of time for the provision of a bay.

As advised, provision of a bay is for ANY Blue Badge Holder and Newport City Council cannot take action against a valid badge holder using the bay.

Please complete the form in full, and ensure that you have enclosed all documentation that is requested. If you complete the on line application you will need to send copies of the required documents separately. Failure to provide information and/or corroboration where requested will result in the application being delayed or declined.

APPLICATION FOR A DISABLED PARKING BAY

The applicant is the individual with a disability who wishes to apply for a Disabled Parking Bay. (Please refer to the Application Guidance before filling in the form and ensure all questions are answered).

1 - Applicant Details

Full Name :
Date of Birth :
Address where marking is required:
Post Code:
GP Details:
Telephone and/or Mobile Number:
Email:

2 - Blue Badge Details (If you do not have a valid Blue Badge your application will not be considered)

Serial Number :
Date of Expiry:
Issuing Authority (Please provide proof if not issued by Newport City Council) :

3 - Vehicle Details

Is the applicant the main driver of the vehicle? **Yes /No**

If **'No'** please provide details of the main driver and relationship to you:
.....
.....
.....

If you are the passenger:

Does the main driver reside at the same address? **Yes/ No**

Is the vehicle registered at the same address? **Yes/ No**

If you have answered **'No'** to either of these questions your application will not be considered.

If you have answered **'Yes'** please provide a copy of the vehicle registration document (V5) and you insurance document.

4 - Mobility Allowance Details

Do you receive the higher rate of mobility allowance, attendance allowance or enhanced PIP? **Yes/ No**

If **'Yes'** please provide proof of entitlement.

If **'No'** your application will not be considered.

5 - Disability

Please state the nature of your disability and mobility difficulties (including any mobility aids, how far you can walk)
.....
.....
.....
.....

If you are a passenger can you be left alone while the driver parks the vehicle? **Yes/ No**

If **'No'** please explain why not.
.....
.....
.....

6 - Parking

Do you have off -road parking facilities (i.e. drive way, carport, garage, including garage in a nearby block)? **Yes / No**

If **'Yes'** please provide details (Your application make not be considered further if you have suitable parking provision).
.....
.....
.....

If there are any reasons why believe you cannot use existing off - road facilities please provide details.
.....
.....
.....

Do you have a residents parking scheme in your road? **Yes/ No**

If **'Yes'** please provide details of any issues above the concessions already in place that make it difficult for you to park.
.....
.....
.....

Are there any features such as yellow lines, limited waiting or a bus shelter outside your home that may affect where the bay is marked if your application is successful? **Yes/ No**

If **'Yes'** please provide details and where an alternative bay could possibly be provided:
.....
.....
.....

7 - Your Application

Please provide any other information that may affect your application:
.....
.....
.....

We may approach you GP for further information. Do you give consent for us to do this? **Yes/No**

8 - Signature

The form should be signed by the applicant or the person filling out the form on their behalf.

Date:

Signature:

Print Name:

Relationship to applicant if signing on their behalf:.....

CHECK LIST FOR APPLICATION (If the required documents are not enclosed your application will be returned)

Proof of Blue Badge if not issued by Newport City Council

Copy of Vehicle Registration and Insurance Documents

Copy of entitlement to required benefits.

OFFICIAL USE

Reference Number

Criteria met at Stage 1

YES (Letter Sent) Date

NO (Letter Sent) Date

Sent to Streetscene Date

SECTION 4

SPECIMEN LETTERS

DPB - Application Request

Ask for/Gofynnwch am

Our Ref/Ein Cyf DPB Application Request

Your ref/Eich Cyf

Tel/Ffôn 01633 656656

Direct Dial/Rhif

Fax/Ffacs

DX

E-mail/E-Bost

Civic Centre/Y Ganolfan
Ddinesig
Newport/Casnewydd
South Wales/De Cymru
NP20 4UR



Name
Street
Area
Newport
Postcode

Date

Dear

RE: APPLICATION FOR DISABLED PARKING BAY

Thank you for your enquiry regarding the above. There are three stages that have to be satisfied before a bay is provided and the enclosed guidance sets out the criteria and the process at each stage. Please read the guidance carefully before making an application with particular reference to the '**Important Notes**' section of the guidance as this explains the timescales.

Stage 1 - Application form needs to be completed and criteria met before it can progress to the next stage.

Stage 2 - Streetscene to complete site feasibility checks in accordance with the Road Traffic Regulations Act 1984 Sections 32 (1) and 35 (1)

Stage 3 - Application for a Traffic Regulation Order.

Please note an application can be declined at any stage and a bay will only be provided if it has successfully passed all three stages.

It is important when completing either the enclosed application form or using the online facility that you provide fully all required information. It is also important that all documents are either enclosed with the application or sent if you have used the online facility. Your application will not be processed if all required information is not provided. Please return your application form to the above address.

Thank you for your assistance with this matter.

Yours sincerely

City Contact Centre

DPB - Stage 1 Criteria Met

Ask for/Gofynnwch am

Our Ref/Ein Cyf

DPB Stage 1B Criteria Met

Your ref/Eich Cyf

Tel/Ffôn

01633 656656

Direct Dial/Rhif

Fax/Ffacs

DX

E-mail/E-Bost



Civic Centre/Y Ganolfan
Ddinesig
Newport/Casnewydd
South Wales/De Cymru
NP20 4UR

Name

Street

Area

Newport

Postcode

Date

Dear

RE: APPLICATION FOR DISABLED PARKING PLACE

Thank you for your recent application for a Disabled Parking Bay. The application has met the requirements as set out in the guidance for Stage 1 and will now be passed to the Streetscene for further processing. Please be advised that your application may still be declined at any further stage in accordance with the Road Traffic Regulations Act 1984 Sections 32 (1) and 35 (1).

If you have any questions please refer to the original guidance or:-

- Visit the Information Station
- Telephone 01633 656656
- **Send an e-mail to**

If at any time the bay is no longer required please contact us as soon as possible to ensure the application is withdrawn.

Thank you for your assistance with this matter.

Yours sincerely

City Contact Centre

DPB - Stage 1 Criteria Not Met

Ask for/Gofynnwch am

Our Ref/Ein Cyf

DPB Stage 1 Criteria Not

Met

Your ref/Eich Cyf

Tel/Ffôn

01633 656656

Direct Dial/Rhif

Fax/Ffacs

DX

E-mail/E-Bost



Civic Centre/Y Ganolfan
Ddinesig
Newport/Casnewydd
South Wales/De Cymru
NP20 4UR

Name

Street

Area

Newport

Postcode

Date

Dear

RE: APPLICATION FOR DISABLED PARKING PLACE

Thank you for your recent application for a Disabled Parking Bay. Careful consideration has been given to the information you have provided in line with the criteria as outlined in the guidance. It is with regret that your application cannot be progressed any further for the following reasons:-

.....
.....
.....

If you believe your application has been incorrectly assessed against relevant criteria, you may request that your application be reviewed. The decision following a second review is final and there is no appeal or complaint process regarding the decision.

Yours sincerely

City Contact Centre