

# **PERTH AND KINROSS COUNCIL**

## **Environment and Infrastructure Committee**

**15 May 2019**

### **Disabled Persons' Parking Places (Variations) Order**

#### **Report by Depute Director (Housing & Environment) (Report No. 19/137)**

This report considers all the requests during the last year for disabled parking bays which require to be added or removed from the Perth and Kinross Council (Disabled Persons' Parking Places) Order 2011.

#### **1. BACKGROUND**

- 1.1 The Perth and Kinross Council (Disabled Persons' Parking Places) Order 2011 was introduced following the implementation of the Disabled Persons' Parking Places (Scotland) Act 2009.
- 1.2 Under the Disabled Persons' Parking Places (Scotland) Act 2009, Perth and Kinross Council has a statutory duty to keep the relevant Traffic Regulation Order under review.

#### **2. PROPOSALS**

- 2.1 It is proposed to vary the relevant Traffic Regulation Order. The additions are due to new applicants who have requested a disabled space to aid them close to their property and meet the qualifying criteria for a Blue Badge. The removals are due to varying circumstances where the bay is no longer required to assist a Blue Badge holder. For example, the blue badge holder may have moved.
- 2.2 The proposals are made up of the following:
  - Bay additions – 36
  - Bay removals – 40

#### **3. CONCLUSION AND RECOMMENDATION**

- 3.1 Approval will allow a start to be made to the formal procedure to vary the Traffic Regulation Order. This procedure will involve statutory consultation, preparation of a Draft TRO and advertising in the press. This will provide an opportunity for additional comments to be made or objections to be raised.
- 3.2 If objections are raised, these will be reported back to Committee, with appropriate recommendations.

- 3.3 It is recommended that the Committee approves the promotion of a variation to the Perth and Kinross Council (Disabled Persons' Parking Places) Order, as described.

**Author**

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**Approved**

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Keith McNamara	Depute Director (Housing & Environment)	2 April 2019

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes/No</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>Yes</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

- 1.1 The Perth and Kinross Community Planning Partnership (CPP) brings together organisations to plan and deliver services for the people of Perth and Kinross. Together the CPP has developed the Perth and Kinross Community Plan which outlines the key things we think are important for Perth and Kinross.

- i) Giving every child the best start in life
- ii) Developing educated, responsible and informed citizens
- iii) Promoting a prosperous, inclusive and sustainable economy
- iv) Supporting people to lead independent, healthy and active lives
- v) Creating a safe and sustainable place for future generations

- 1.2 It is considered that the actions contained within this report contribute to all of the above objectives.

#### Corporate Plan

- 1.3 The Council's Corporate Plan outlines the same five objectives as those detailed above in the Community Plan. These objectives provide a clear strategic direction, inform decisions at a corporate and service level and shape resource allocation. It is considered that the actions contained in the

report contribute to the objectives as outlined in paragraph 1.2 above. These objectives are met by implementing schemes which promote road safety.

## **2. Resource Implications**

### Capital

- 2.1 There are no capital resource implications arising directly from the recommendations in this report.

### Revenue

- 2.2. There will be costs for advertising the necessary Order in the press and providing the road markings. The indicative cost of advertising an Order is £150 and will be met from the Traffic & Road Network Revenue Account Budget in 2019/20. The cost for the provision and removal of road markings are funded from the Occupational Therapy service budget.

### Workforce

- 2.3 There are no workforce implications arising from this report.

### Asset Management (land, property, IT)

- 2.4 There are no land and property, or information technology implications arising from the contents of this report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- (i) Assessed as **relevant** for the purposes of EqIA, with parking bays providing positive outcomes for people with disabilities.

### Strategic Environmental Assessment

- 3.3 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS). The proposals

have been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.5 The proposals contained within the report are assessed to have a positive impact on sustainability, particularly with regard to encouraging lower traffic speeds.

### Legal and Governance

- 3.6 The Order will be promoted in accordance with The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

### Risk

- 3.7 There are no significant risks associated with the implementation of this project.

## **4. Consultation**

- 4.1 The Head of Legal and Governance, the Head of Housing and the Head of Finance have been consulted in the preparation of this report.

## **5. Communication**

- 5.1 Approval will allow a start to be made to the formal procedure to generate a Traffic Regulation Order. This procedure will involve statutory consultation, preparation of a draft TRO and advertising in the press. This will provide an opportunity for additional comments to be made or objections to be raised. If objections are raised, these will be reported back to Committee, with appropriate recommendations.

## **2. BACKGROUND PAPERS**

- 2.1 The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report.

## **3. APPENDICES**

- 3.1 Appendix 1 – Disabled Bay additions & removals locations