

# DOVER JOINT TRANSPORTATION BOARD

## PROCEDURE FOR DETERMINING APPLICATIONS FOR ON-STREET DISABLED PERSONS' PARKING BAYS

1. Under the current arrangements with Kent County Council (the Highway Authority), an applicant has to satisfy a list of criteria set by the County Council in order to qualify for a disabled person's parking bay being provided outside, or close to, his or her house. The set of criteria was adopted by this Board at its meeting held on 7 February 2005 and is as follows:
    - All applicants must hold a current and valid Blue Badge
    - All applicants must also be in receipt of, or have proof of entitlement to:  
  
Personal Independence Payment (PIP) at the enhanced rate **or**  
  
*If under 65 years of age* - entitlement to the higher rate mobility component of the Disability Living Allowance **or**  
  
*If 65 years or over* – entitlement to the Higher Rate of Attendance Allowance if applicant was 65 years or over when entitlement was first claimed **or**  
  
Another entitlement which may be allowable e.g. War Pension.
  - The applicant must not have any space available for parking their vehicle in an off-street parking facility.
  - There are parking problems within the road, for example, the applicant regularly has difficulty finding available space on-street close to his or her property (this will be assessed post-application by a highway engineer).
2. Bays will not be provided in locations which may compromise public safety, e.g. on a bend or brow of a hill, close to a junction, within a turning head of a cul-de-sac, where the road is too narrow or where parking is already prohibited, e.g. on yellow lines, zigzag lines, etc.
  3. The provision of a disabled persons parking bay **must** relieve congestion on the public highway.

### **Process after receipt of application**

4. Providing the applicant meets the criteria set out above, the first stage in processing the application is that neighbours who may be immediately affected by the provision of a bay will be informally consulted.
5. Once informal consultation has been completed, the proposals (including any objections received) will be reported to the Dover Joint Transportation Board which will make an initial decision on whether the application should be refused or progressed to the second stage of formal advertisement and consultation. A

recommendation to refuse the application would be made to Kent County Council and would mean that the application proceeds no further.

6. If the Board agrees that the application should be progressed to the second stage, a Traffic Regulation Order (TRO) will be made. This is a legal document that allows the Highway Authority to regulate the use of bays and helps to prevent their misuse. The proposed TRO will be advertised in a local newspaper and affected parties will be formally consulted.
7. At this stage, a bay may be marked on the highway. However, it will not be enforceable until the TRO has been formally made (or 'sealed').
8. If objections are received during the formal consultation stage, they will be reported to the Dover Joint Transportation Board for a further decision. In the event that Kent County Council accepts a recommendation from the Dover Joint Transportation Board to refuse an application, the interim bay will be removed. If the Board makes a recommendation to approve the application, the TRO will be sealed. (If no objections are received during the formal consultation stage, the TRO will be sealed without further reference to the Board.)
9. It should be noted that the applicant will not have exclusive rights to the parking bay. Anyone holding a valid Blue Badge may park in the bay.
10. A TRO can take between 9 and 12 months on average from when it has been agreed in principle to the time of implementation. It is a lengthy process due to the need for the Council to adhere to the statutory procedures laid down by the Department for Transport.
11. When a bay is established on the highway it will be assessed periodically against the criteria to ensure that it is still justified. If the bay is no longer required for the original use or the criteria are no longer met, it may be removed.