

DOVER DISTRICT COUNCIL

DOVER JOINT TRANSPORTATION BOARD – 12 SEPTEMBER 2013

**EXCLUSION OF THE PRESS AND PUBLIC**

**Recommendation**

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involves the likely disclosure of exempt information as defined in the paragraph of Part I of Schedule 12A of the Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Applications for Disabled Persons' Parking Bays	1 and 2	Information relating to any individual and Information which is likely to reveal the identity of an individual

# 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 County 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 on 7 February 2005 and is listed below:
  - (i) the applicant must be a Blue Badge holder.
  - (ii) the applicant must be in receipt of a qualifying benefit entitlement, either:
    1. the Higher Rate Mobility component of **Living Allowance**, or
    2. Higher Rate of **Attendance Allowance** if the applicant was over 65 years or over when an entitlement was first claimed  
(Other entitlements such as a War Pension may also qualify).
  - (iii) the applicant must be a driver of vehicle (unless there are exceptional mitigating circumstances).
  - (iv) The applicant must not have any off-street parking (eg have no hard standing, nor garage, nor use of either).

In addition, bays will not be provided:

- along sections of roads subject to stopping, waiting or loading restrictions (eg on clearways; yellow lines or blips; zig zags outside schools or on approaches to pelican crosses; etc)
  - in close proximity to road junctions (typically within 10metres)
  - along a road whose width is less than 3.6 metres
  - where there are other disabled bays in a street and these collectively exceed 5% of the available road parking space
  - where the application is for a temporary disability only
  - in areas where the safety or convenience of the applicant or other highway users could be compromised (eg close to or on the brow of a hill or within the turning head of a cul-de-sac)
2. If the listed criteria are met then an application goes through a two-stage process: Under delegated authority, the Head of Regeneration firstly carries out an informal consultation with the neighbours. If no objections are received then an advisory (non-enforceable) disabled bay is marked on site and the application progresses to the second stage where it is formally advertised as a proposed Traffic Regulation Order (TRO). This latter stage can take considerable time to complete, which is why an advisory bay is provided in the interim period. If no objections are received in response to the formal (second stage) advertisement, then the TRO is sealed and the disabled bay becomes enforceable. At either stage of consultation, objections can be received which are referred back to the Board to make a recommendation to proceed, or not, with the application.
  3. If at any time an applicant appeals against an officer's decision then in accordance with the resolution taken by the Dover Joint Transportation Board on 13 September 2005, the Chairman, Vice-Chairman and the relevant Ward and County Members are contacted to seek views on determining the appeal. If the views of the Members who reply are unanimous then the appeal is determined accordingly. However, if any Members are not in agreement, then the appeal comes back before the Dover Joint Transportation Board to be determined.