

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 10 SEPTEMBER 2020
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND
CULTURAL SERVICES)

INTRODUCTION OF TWO DISABLED BAY PARKING PLACES IN CHURCH STREET,
WELWYN

1 Executive Summary

- 1.1 The village centre of Welwyn has a wide variety of retail and services, and many customers visit by vehicle. There is limited scope within the village for major parking provision, the village centre is served by 90 minutes time limited spaces mainly in Church Street and High Street. Also, there are two car parks managed by the Parish Council, one in the High Street which has a 90 minutes stay limit, and one in Lockleys Drive in which spaces are unrestricted.
- 1.2 Disabled badge provision within the village consist of disabled bays in High Street and Lockleys Drive car parks only. No on-street disabled bays exist, however, disabled badge holders can park in the time limited spaces when available for as long as they like. In 2019, the Department of Transport introduced a significant change since 1970 to disabled blue badge eligibility criteria. More of the UK population are now eligible to apply for a disabled blue badge. The eligibility now includes medical conditions where those with health issues, who cannot undertake a journey without there being a risk of serious harm to their health or safety or that of any other person, or without it causing them very considerable psychological distress.
- 1.3 We recognise that shopping areas are subject to a wider and higher demand for blue badge parking, and currently, there is no enforceable on street disabled bays within Welwyn. During the social distancing measures put in by Hertfordshire County Council in High Street, it has highlighted that shoppers with mobility concerns are in more need of parking, which is close as possible to the essential services and shops within the village centre.

2 Recommendation(s)

- 2.1 *“The Borough of Welwyn Hatfield (Church Street, Welwyn) Disabled Bay Order 2020.”* That the Panel consider the objections received, and in addition to the issues raised in Section 15 around equalities and diversity. Having considered all the issues in this report, recommends to Cabinet to proceed with the creation of the above Traffic Regulation Order for two disabled bays in Church Street (**Appendix B**) for the reasons set out in this report.

3 Explanation

- 3.1 In June 2020, a meeting was held online with Parking Services and the clerk of Welwyn Parish Council regarding disabled parking provision in the Village. It was noted that there was currently no on street provision for disabled badges holders only. Therefore, it was agreed for Parking Services to progress a plan for the disabled bays now proposed. Letters (**Appendix C**) were sent to nearby residents and business in Church Street/High Street to highlight the advertisement of the proposals and to invite any objections against such a scheme. The public notice (**Appendix D**) was advertised in the Welwyn Hatfield Times as well as being attached to posts near the proposed chosen area. During this period, following the recently introduced Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020 (Statutory Instrument No. 536) it was advertised on the public notice that the documents could be inspected upon our website or a printed copy could be sent via post upon request. Usually the deposit documents are required to be placed in a deposit box within the reception in our offices, however, this requirement is currently suspended as the regulations state “the order making authority must make appropriate alternative arrangements for making the documents specified in paragraph 2 of Schedule 2 and, as the case may be, documents specified in regulation 23(3)(c) and (e) available for public inspection.”
- 3.2 Two objections to the proposals were submitted by email and are summarised below in Paragraph 4. The full objections are contained within **Appendix A**.

4 **Objections**

- 4.1 There are two objections pertaining to the proposals of disabled bays in Church Street. See **Appendix A**

Below is a summary of the grounds for objection.

- a) There are barely enough parking places for all concerned and two whole parking bays effectively “removed” from general use, solely for disabled persons in my opinion is unreasonable
- b) “The 90 minutes limit in place could equally cause all the residents and business owners’ equal psychological distress and health and safety issues.”
- c) “If, as you say more people are eligible for the blue badge, including those with health issues who cannot undertake a journey without there being a risk of serious harm to their health or safety or that of any other person? do you mean that they are being driven as a passenger ? - as it would appear that anyone with these issues should not be on the road driving in the first place.”
- d) I’m also not sure why you mention about the ridiculous measures that have been put in place along the High Street out of the blue last week apparently to “aid” social distancing which is only making it more difficult for the disabled community. First, surely this is only a temporary measure?!
- e) I do not object to two new 'blue badge only' bays in Welwyn, particularly as the village has an ageing population in need of support. My only

objection is the creation of two bays, next to each other on the North end of the High Street. I feel it would better serve those requiring assistance to have a parking bay at the south end of High Street, potentially at the junction of School Lane or opposite Mimram Place, as well as a space at the north end.

- f) Parking at the south end of High Street, particularly at the junction with School Lane would go some way to easing a small amount of traffic on Mill Lane, as well as preventing drivers who may lack confidence in their driving ability (due to mobility or health issues) being forced into a narrow lane where they may be required to complete difficult manoeuvres or reverse for prolonged distances.

4.2 Responses to 4.1:

- a) Disabled badge holders can utilise any parking bay that is available, however, as the objector highlights, there is a heavy demand on parking and creating dedicated disabled badge holder bays will alleviate the parking issues faced by blue badge holders who may not be able to walk a longer distance to the nearby shops or facilities. If the High Street/Church Street parking bays are full, currently drivers would have to seek parking much further away, either in Lockley Drive car park, or School Lane.
- b) A previous parking consultation introduced the 90 minutes time limit, and at this time it is not under review. If in the future the time limit was removed or increased, it would likely lead to even less chance of a disabled driver finding an available parking space near the village centre, as vehicles could stay longer, rather than use the all day free parking in Lockley Drive car park for longer stays as already the case. Business Owners are already less likely to utilise time limited spaces which have been made available for shoppers to access the retail provision.
- c) Disabled Blue Badge Holders do not have to be driving the vehicle to utilise the disabled bays and the bays can be used equally as a passenger or driver. Applicants for Blue Badges are assessed in line with the strict criteria set out by the Department for Transport, and DVLA oversee the fitness to drive for anyone holding a driving licence.
- d) The recent temporary social distancing measures made it clear that Blue Badge Holders can face unforeseen challenges when trying to access retail or other services. This was highlighted in our letter to show the difficulties faced by badge holders, and the disabled bay in the short term would assist with the social distancing measures; whilst in the long term would continue to benefit any badge holder parking in that area of the village.
- e) The comments regarding providing more disabled bays in the village can be considered in any future disabled bay review or consultations in this area. The School Lane end of High Street has a very limited number of 90 minutes parking bays (three bays on School Lane); however, there is much larger sections of double yellow lines at this end of the road, where a blue badge holder can park, for up to 3 hours as

long as a valid badge and clock are displayed and parking is not causing a major obstruction to the flow of traffic. The double yellow line (unless a loading prohibition applies) exemption for blue badge holders are in line with national regulations for blue badges. The High Street car-park is opposite Mimram Place where a set of two Disabled Bays are already provided to assist in those who may need to visit the doctors surgery at that location.

- f) The social distancing measures are currently a temporary measure introduced by Hertfordshire County Council. Any additional measures surrounding Mill Lane to stop extra traffic flow would be a subject for County Council to deal with as the Highway Authority. As mentioned in e) (paragraph above), there is already some double yellow lines in that area of the High Street that could be utilised by Blue Badge Holders.

5 Legal Implication(s)

- 5.1 TROs are created under the Road Traffic Regulation Act 1984. Consultations follow a statutory legal process as set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, as amended by the Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020 (Statutory Instrument No. 536). No other legal implications are inherent in relation into the proposals in this report.

6 Financial Implication(s)

- 6.1 The cost of TRO in this report will be funded through existing Parking Services revenue and capital budgets.

7 Risk Management Implications

- 7.1 Changing the parking conditions in the above-mentioned road could generate negative publicity. Some parking may be displaced into nearby roads.
- 7.2 It is standard procedure to monitor new parking restrictions for the first 6 months after any are implemented. During this period all reports of safety issues or parking displacement will be recorded. If any significant safety issues are discovered during the monitoring period, Parking Services will investigate and carry out the appropriate remedial action.

8 Security & Terrorism Implications

- 8.1 There are no known security & terrorism implications inherent in relation to the proposals in this report.

9 Human Resources

- 9.1 There are no known Human Resources implications in relation to the proposals in this report.

10 Communication and Engagement

- 10.1 When making any changes to parking restrictions there is a statutory consultation process set out in the Local Authority Traffic Orders (Procedures) (England and Wales) Regulations 1996 which the Council needs to adhere to. This includes consulting directly with all affected parties and a number of statutory consultees, such as the Police and Hertfordshire County Council.
- 10.2 In addition, Notices are required to be erected within all roads affected and advertised in the local newspaper, in this case the Welwyn Hatfield Times.
- 10.3 As mentioned in 3.1, Welwyn Parish Council are in favour of the introduction of two disabled bay in Church Street. Ward and County Councillors have also been consulted and no objections have been received regarding these proposals.
- 10.4 This process has been carried out and there are no known implications in relation to the proposals in this report.

11 Health and Wellbeing

- 11.1 There are no known Health and Wellbeing implications in relation to the proposals in this report

12 Procurement Implications

- 12.1 There are no known procurement implications inherent in relation to the proposals in this report.

13 Climate Change Implication(s)

- 13.1 There are no known climate change implications inherent in relation to the proposals in this report.

14 Link to Corporate Priorities

- 14.1 The subject of this report is linked to the Council's Corporate Priority Protect and Enhance the Environment, and specifically to the achievement to Deliver Effective Parking Services
- Protect and enhance the environment and deliver effective parking services;
 - Engage with our communities and provide value for money

15 Equality and Diversity

- 15.1 I confirm that an Equality Impact Assessment (EqIA) has been carried out.
- 15.2 The EqIA found there is a potential for positive impact on Disability. The disabled bays proposed would provide additional dedicated parking bays for blue badge holders to park in, without time limit, in order to get closer access to shops and other services within the core of Welwyn.

Name of author	Matthew McCann 01707 357304
Title	Parking Services Team Leader
Date	12 August 2020

Background papers to be listed (if applicable)