

Notice of Non-key Executive Decision

Subject Heading:	Minor Parking Schemes – Objection Report 15 – dedicated disabled bay
Decision Maker:	Imran Kazalbash Director for Environment
Cabinet Member:	Cllr Barry Mugglestone
SLT Lead:	Imran Kazalbash Director for Environment
Report Author and contact details:	Iain Hardy Engineer iain.hardy@havering.gov.uk 01708 432440
Policy context:	Havering Local Development Framework (2008)
Financial summary:	Estimated cost of £0.001m to be funded from cost centre A26910, Schemes budget
Relevant OSC:	Places
Is this decision exempt from being called-in?	Yes – Non-Key

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This Executive Decision seeks approval to:

- a) consider and approve the Officers recommendations in relation to the objections received to the statutory consultation as detailed in the Statement of Reasons and
- b) agree to implementation of the below measures as detailed in the designs appended to the body of this report:
- c) **Scheme – 24 Wednesbury Road**
Change the existing disabled parking bay at the south-easternmost extremity of Wednesbury Road to a dedicated disabled parking bay (as shown on drawing reference 24 Wednesbury Road attached to the report).

AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution Part 3.3.5 (1.1).

To exercise the Council's powers and duties arising under the Road Traffic Regulation Act 1984, New Roads and Streetworks Act 1991 and Traffic Management Act 2004.

3.3.1 (5.1) covers sub-delegations:

The Chief Officers may delegate any of the powers listed in this part to another Officer, in so far as is legally permissible. Such delegation will specify whether the Officer is permitted to make further sub-delegations. Any such delegation or sub-delegation must be: (a) recorded in writing; and (b) lodged with the Monitoring Officer who will keep a public record of all such delegations. Any such delegation / sub-delegation will become valid only when these conditions are complied with.

STATEMENT OF THE REASONS FOR THE DECISION

a) **Scheme – 24 Wednesbury Road – Harold Wood Ward**

A request has been received from Occupational Therapy to change the existing disabled parking bay to a dedicated disabled parking bay, as other blue badge holders are using the bay that was intended for a specific resident.

Generally disabled bays would be implemented upon applications or representations from one resident and through Occupational Therapy, which is normally a suitable approach and often doesn't have any issue. In certain cases however, where the residents cannot use the bay that was originally intended for them a different approach is needed to make the bay dedicated, so that the resident that it was meant for can use it.

Officers considered that changing the existing disabled parking bay to a dedicated disabled parking bay would be the best option for the resident.

Following the consultation, the results of the responses received are tabled below, and are included in Appendix A.

Residents For	Residents against	No view but comments received
0	4	0

All Ward Councillors were made aware of the responses received to the consultation, with one Ward Councillor responding in support of the proposals, one Ward Councillor outlining that they did not object to the proposals, but asked where the Council was with a residents request for a verge conversion in the road. The remaining Ward Councillor did not respond.

Officers Response: Officers have reviewed the responses above. Officers acknowledge that there is clearly parking pressure in this road and there are a number of residents that have blue badges. Although the other disabled parking bay in the road has now been implemented, often the resident that this bay was intended for cannot use the bay as it's being used by other blue badge holders, and this is causing them parking difficulties. As this is the case, Officers feel that the proposed dedicated disabled parking bay should be implemented as advertised.

OTHER OPTIONS CONSIDERED AND REJECTED

The option not to progress these schemes was considered but rejected.

Officers consider the need to provide road safety, traffic flow, sight lines and access around this location, which outweighs the loss of the general parking provision. The Council has obligations under the Road Traffic Regulation Act (1984) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including cyclists and pedestrians) and to provide suitable and adequate parking facilities on and off the highway.

PRE-DECISION CONSULTATION

The following proposals were publically consulted as per the Council's legal obligations to publicise changes to the traffic orders for a period no less than 21 days commencing Friday 23rd February 2024.

a) Scheme – 24 Wednesbury Road- Harold Wood Ward

All Ward Councillors were made aware of the responses received to the consultation, with one Ward Councillor responding in support of the proposals, one Ward Councillor outlining that they did not object to the proposals, but asked where the Council was with a residents request for a verge conversion in the road. The remaining Ward Councillor did not respond.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

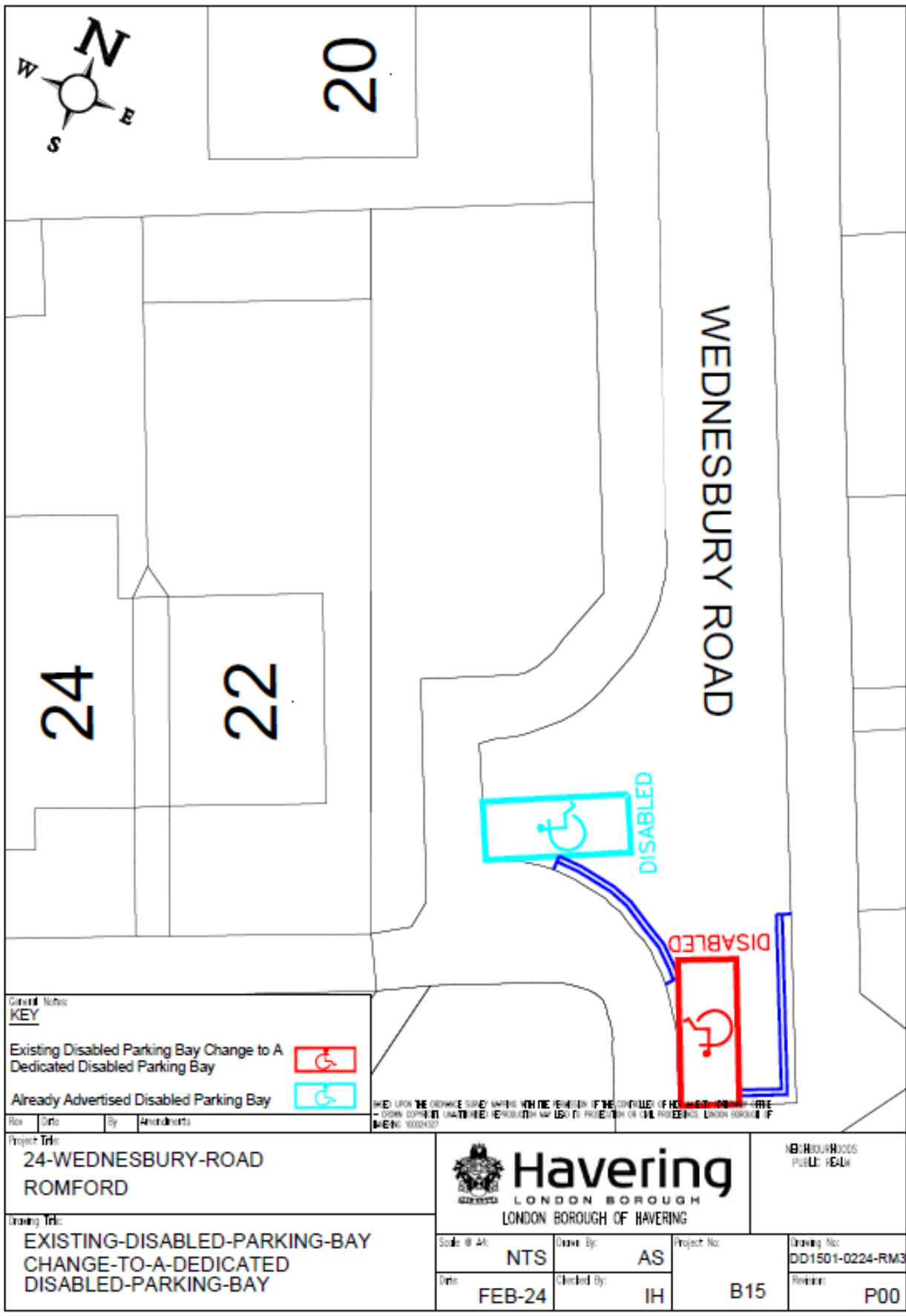
Name: Iain Hardy

Designation: Schemes Engineer

Signature: 

18/07/2024

Wednesbury Road – proposed dedicated disabled bay



Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

Here Officers seek approval to change the existing disabled parking bay to a dedicated disabled parking bay.

The Council's power to make an order regulating or controlling vehicular traffic on roads is set out in Part I of the Road Traffic Regulation Act 1984 ("RTRA 1984") with the power to designate parking places set out under part IV of the RTRA 1984.

Before an Order is made, the Council should ensure that the statutory procedures set out in the Local Authorities Traffic Orders (Procedure)(England & Wales) Regulations 1996 (SI 1996/2489) are complied with. The Traffic Signs Regulations & General Directions 2016 govern road traffic signs and road markings.

Section 122 RTRA 1984 imposes a general duty on local authorities when exercising functions under the RTRA. It provides, insofar as is material, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. This statutory duty must be balanced with any concerns received over the implementation of the proposals.

In considering any responses received during consultation, the Council must ensure that full consideration of all representations is given including those which do not accord with the officer's recommendation. The Council must be satisfied that any objections to the proposals were taken into account.

In considering any consultation responses, the Council must balance the concerns of any objectors with the statutory duty under section 122 RTRA 1984.

FINANCIAL IMPLICATIONS AND RISKS

The estimated costs of £0.001m which include advertising costs and implementing the proposal as described above and shown on the attached plan will be met from the 2024/25 Highways Schemes budget, which at the time of this report has sufficient available budget.

This is a standard project for Schemes and there is no expectation that the works cannot be contained within the cost estimate. In the unlikely event of an overspend, the balance would need to be contained within the overall Environment budget.

Disabled bay to a dedicated disabled bay	Estimated Cost £m
24 Wednesbury Road	£ 0.001
Total	£ 0.001

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The proposal can be delivered within the standard resourcing within Highways, Traffic and Parking and has no specific impact on staffing/HR issues.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion this is attached.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are equalities and social inclusion implications and risks associated with this decision.

The EQHIA form is attached as Appendix B to this report.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The reduction in the parking provision may discourage drivers from using these facilities and therefore this may reduce emissions in line with the Climate Change Action Plan 2021.

BACKGROUND PAPERS

None.

APPENDICIES

Appendix A – Responses received

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

The change of the disabled parking bay to a dedicated disabled parking bay.

Details of decision maker

Signed



Name: Imran Kazalbash, Director for Environment

Director of Environment

CMT Member title: Strategic Director of Place

Cabinet Portfolio held: Councillor Barry Mugglestone, Cabinet Member for Environment

Head of Service title: Mark Hodgson, Head of Highways, Traffic & Parking, Environment

Date: 01/10/2024

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____

Appendix A

Responses received

- Good afternoon,
I live at XX Wednesbury Road. I currently have a XXXXX car. I have just been declined a parking bay which is ludicrous in my mind and it just add insult to make parking a bay desiccated to someone with no mobility issues! I'm wondering if what you're doing is actually lawful? as I feel like this could be seen as discrimination towards other uses in the road?
It's my understanding that there is no mobility issues to whom you are going to assign the disabled bay to?
I have contacted the MP because this seems like an unfair and unjust system at present.
Thank you for your time matter
- I am totally against the disabled bay that is already in place and the apparent one that has already been agreed?. The occupants of XX Wednesbury Rd for some reason have a disabled badge and bay for their XX who very rarely goes out because of a phobia and the fact that he does not drive at all means that if XX parents car was parked up the road and they had to drive down to pock him up he would still have to walk the same distance. As for the other bay there are approximately 12 cars in this close belonging to residents that do not have access to driveways and rely on the 7/8 spaces that we have. To dedicate 2 of them as disabled bays would make it extremely difficult for anyone else to park remotely close to their house. None of the current disabled badge holders have difficulty walking or moving about and do not have to rely on the use of a chair or any other aid. Unless the council are prepared to put extra bays in beside numbers 13 and 22 (pics attached) then I cannot see a solution to this problem without extending the road up past the houses on the green making more access to front of properties.
- I would like to strongly oppose the Dedicated parking bay we live in a cul-de-sac where there is three people in the road with a disabled badge, and I'm not saying anyone's needs are greater than someone else needs but it seem the parking bay in question is for someone with no mobility issues, XX has mental health conditions, (where he doesn't go out very often maybe 20 times a year) XX mother is taking advantage of his blue badge and Treating it as her own, So I think it would be seen as favouritism and unfair I have reported it to blue badge Services about the miss use I myself have been waiting for a disabled bay for 2 years now I have got mobility problems I've broken my back and had cancer. My daughter has a mobility car and has no parking bay. So you can see how this can't be seen as Discrimination, Against everyone else in the road with a disabled badge. Residence of XX Wednesbury Road
- I would also like to add that disabled bay is the only bay with wheelchair accessible im having back surgery twice this year once on my right hand side and then once and then on my left. It's been done under two different surgeries as I can't do it altogether so I'm probably going to be in a wheelchair and the disabled bay has been applied for me has a very small gap for me to get in and out of with a broken back or with back surgery also my daughter has got a condition where currently she doesn't need a wheelchair but they're likely heads are that she probably will (she should have but doesn't because of her age)

Again I strongly opposed making it a Dedicated space, Unfortunately there is times when we go shopping and there isn't a disabled parking bay. due to the parking being so bad in our road. Unfortunately it's a problem and I believe that this would be discriminating against me and my daughter I'm not sure how this could fit into your policies and guidelines when there is three people in four houses with disabled badges, and why one of those come above everyone else? It's unfair to the Extreme in my opinion and I am going to get in touch with the local MP.

Equality & Health Impact Assessment (EHIA)

Document control *red text (including this note) is for guidance and should be deleted from the actual EHIA report.*

Title of activity:	Minor Parking Schemes – Objection Report 15 – dedicated disabled parking bay
Lead officer:	Iain Hardy
Approved by:	James O'Regan
Version Number	V0.1
Date and Key Changes Made	
Scheduled date for next review:	<i>Ongoing from the time the bay is implemented..</i>

Did you seek advice from the Corporate Policy & Diversity team? <i>Please note that the Corporate Policy & Diversity and Public Health teams require at least 5 working days to provide advice on EqHIAs.</i>	Yes
Did you seek advice from the Public Health team?	No
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website? See Publishing Checklist.	No

Please note that EHIAs are **public** documents and unless they contain confidential or sensitive commercial information must be made available on the Council's [EqHIA webpage](#).

Please submit the completed form via e-mail to READI@havering.gov.uk thank you.

1. Equality Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EHIA and ensure you keep this section for your audit trail. If you have any questions, please contact READI@havering.gov.uk for advice from either the Corporate Diversity or Public Health teams. Please refer to [this Guidance](#) on how to complete this form.

About your activity

1	Title of activity	Minor Parking Schemes – Objection Report 15 – dedicated disabled parking bay		
2	Type of activity	Minor Parking Schemes		
3	Scope of activity	The installation of a dedicated disabled parking bay.		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>either</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people from different backgrounds?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes	<i>Please use the Screening tool before you answer this question.</i>	
5	If you answered YES:	Please complete the EHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:	<p><i>Please provide an explanation on why your activity does not require an EHIA. This is essential, in case the activity is challenged under the Equality Act 2010.</i></p> <p><i>Please keep this checklist for your audit trail.</i></p>		

Completed by:	Iain Hardy
Date:	26/06/2024

2. The EHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:

The scheme for Wednesbury Road is designed to change the existing disabled parking bay, that was installed for the resident, in to a dedicated disabled parking bay.

**Expand box as required*

Who will be affected by the activity?

Disabled badge holders, as only the resident blue badge holder that the bay is intended for will be able to park in the dedicated disabled parking bay.

**Expand box as required*

Protected Characteristic - Age: Consider the full range of age groups

Please tick (✓)
the relevant box:

Positive

Neutral

Negative

Overall impact:

Parking restrictions are applied irrespective of age

**Expand box as required*

Evidence:

**Expand box as required*

Sources used:

**Expand box as required*

Protected Characteristic – Ethnicity / race / nationalities: Consider the impact on different minority ethnic groups and nationalities		
<i>Please tick (✓) the relevant box:</i>		Overall impact: Parking restrictions are applied irrespective of Ethnicity/race <i>*Expand box as required</i>
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: <i>*Expand box as required</i>		
Sources used: <i>*Expand box as required</i>		

Protected Characteristic – Religion / faith: Consider people from different religions or beliefs, including those with no religion or belief		
<i>Please tick (✓) the relevant box:</i>		Overall impact: Parking restrictions are applied irrespective of Religion/faith <i>*Expand box as required</i>
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: <i>*Expand box as required</i>		
Sources used: <i>*Expand box as required</i>		

Sources used:

**Expand box as required*

Socio-economic status: Consider those who are from low income or financially excluded backgrounds

<i>Please tick (✓) the relevant box:</i>		Overall impact: The parking restriction proposals are not expected to have any socio-economic impact.
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	

**Expand box as required*

Evidence:

**Expand box as required*

Sources used:

**Expand box as required*

Health & Wellbeing Impact: Please use the Health and Wellbeing Impact Tool on the next page to help you answer this question.

Consider both short and long-term impacts of the activity on a person’s physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity?

<i>Please tick (✓) all the relevant boxes that apply:</i>		Overall impact: The proposals to change the existing disabled parking bay to a dedicated disabled parking bays will impact on all other blue badge holders, as only the resident the bay is intended for will be able to park in this bay.
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	

These proposals will decrease the amount of available parking for disabled residents in comparison to what they had before. This could result in some residents not being able to park in all the locations they were able to before and could require them to park further away than they previously had to if their preferred parking area was available, which may cause them some concern.

		<p>The resident that the disabled bay is intended for will be positively impacted, as only they can park in the dedicated disabled bay, ensuring they can always be parked close to their home.</p> <p style="text-align: right;"><i>*Expand box as required</i></p> <p>Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box</p> <p style="text-align: right;">Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Evidence:</p> <p style="text-align: right;"><i>*Expand box as required</i></p>		
<p>Sources used:</p> <p style="text-align: right;"><i>*Expand box as required</i></p>		

3. Health & Wellbeing Screening Tool

Will the activity / service / policy / procedure affect any of the following characteristics? Please tick/check the boxes below
 The following are a range of considerations that might help you to complete the assessment.

Lifestyle YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Personal circumstances YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Access to services/facilities/amenities YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
<input type="checkbox"/> Diet <input type="checkbox"/> Exercise and physical activity <input type="checkbox"/> Smoking <input type="checkbox"/> Exposure to passive smoking <input type="checkbox"/> Alcohol intake <input type="checkbox"/> Dependency on prescription drugs <input type="checkbox"/> Illicit drug and substance use <input type="checkbox"/> Risky Sexual behaviour <input type="checkbox"/> Other health-related behaviours, such as tooth-brushing, bathing, and wound care	<input type="checkbox"/> Structure and cohesion of family unit <input type="checkbox"/> Parenting <input type="checkbox"/> Childhood development <input type="checkbox"/> Life skills <input type="checkbox"/> Personal safety <input type="checkbox"/> Employment status <input type="checkbox"/> Working conditions <input type="checkbox"/> Level of income, including benefits <input type="checkbox"/> Level of disposable income <input type="checkbox"/> Housing tenure <input type="checkbox"/> Housing conditions <input type="checkbox"/> Educational attainment <input type="checkbox"/> Skills levels including literacy and numeracy	<input type="checkbox"/> to Employment opportunities <input type="checkbox"/> to Workplaces <input type="checkbox"/> to Housing <input type="checkbox"/> to Shops (to supply basic needs) <input type="checkbox"/> to Community facilities <input type="checkbox"/> to Public transport <input type="checkbox"/> to Education <input type="checkbox"/> to Training and skills development <input type="checkbox"/> to Healthcare <input type="checkbox"/> to Social services <input type="checkbox"/> to Childcare <input type="checkbox"/> to Respite care <input type="checkbox"/> to Leisure and recreation services and facilities
Social Factors YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Economic Factors YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Environmental Factors YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
<input type="checkbox"/> Social contact <input type="checkbox"/> Social support <input type="checkbox"/> Neighbourliness <input type="checkbox"/> Participation in the community <input type="checkbox"/> Membership of community groups <input type="checkbox"/> Reputation of community/area <input type="checkbox"/> Participation in public affairs <input type="checkbox"/> Level of crime and disorder <input type="checkbox"/> Fear of crime and disorder <input type="checkbox"/> Level of antisocial behaviour <input type="checkbox"/> Fear of antisocial behaviour <input type="checkbox"/> Discrimination <input type="checkbox"/> Fear of discrimination <input type="checkbox"/> Public safety measures <input type="checkbox"/> Road safety measures	<input type="checkbox"/> Creation of wealth <input type="checkbox"/> Distribution of wealth <input type="checkbox"/> Retention of wealth in local area/economy <input type="checkbox"/> Distribution of income <input type="checkbox"/> Business activity <input type="checkbox"/> Job creation <input type="checkbox"/> Availability of employment opportunities <input type="checkbox"/> Quality of employment opportunities <input type="checkbox"/> Availability of education opportunities <input type="checkbox"/> Quality of education opportunities <input type="checkbox"/> Availability of training and skills development opportunities <input type="checkbox"/> Quality of training and skills development opportunities <input type="checkbox"/> Technological development <input type="checkbox"/> Amount of traffic congestion	<input type="checkbox"/> Air quality <input type="checkbox"/> Water quality <input type="checkbox"/> Soil quality/Level of contamination/Odour <input type="checkbox"/> Noise levels <input type="checkbox"/> Vibration <input type="checkbox"/> Hazards <input type="checkbox"/> Land use <input type="checkbox"/> Natural habitats <input type="checkbox"/> Biodiversity <input type="checkbox"/> Landscape, including green and open spaces <input type="checkbox"/> Townscape, including civic areas and public realm <input type="checkbox"/> Use/consumption of natural resources <input type="checkbox"/> Energy use: CO2/other greenhouse gas emissions <input type="checkbox"/> Solid waste management <input type="checkbox"/> Public transport infrastructure

4. Outcome of the Assessment

The EHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

✓	<p>1. The initial screening exercise showed a strong indication that there will be no impacts on people and need to carry out an EHIA.</p> <p>2. The EHIA identified <u>no significant concerns</u> OR the identified <u>negative concerns</u> have already been <u>addressed</u></p>	➔	<p>Proceed with implementation of your activity</p>
	<p>3. The EHIA identified some <u>negative impact</u> which still needs <u>to be addressed</u></p>	➔	<p>COMPLETE SECTION 5: Complete action plan with measures to mitigate the and finalise the EqHIA</p>
	<p>4. The EHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level</p>	➔	<p>Stop and remove the activity or revise the activity thoroughly. Complete an EqHIA on the revised proposal.</p>

5. Action Plan

The real value of completing an EqHIA comes from identifying the actions that can be taken to eliminate/minimise **negative** impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will mitigate or reduce any **negative** equality and/or health & wellbeing impacts, identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; if required, will amend the scope and direction of the change; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer

Add further rows as necessary

* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts.

** Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

6. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review:

Scheduled date of review: Ongoing from the date the changes are implemented

Lead Officer conducting the review:

Iain Hardy

**Expand box as re*

Please submit the completed form via e-mail to READI@haverling.gov.uk thank you.