
DISABLED PERSONS PARKING PLACES - TRAFFIC REGULATION ORDER

Report by Service Director Commercial Services

EILDON AREA FORUM

14 May 2015

1 PURPOSE AND SUMMARY

- 1.1 This report proposes to introduce enforceable disabled parking bays within the Eildon area to be included in The Scottish Borders Council (Disabled Persons Parking Places) Order 2015**
- 1.2 The Disabled Persons Parking Places (Scotland) Act 2009 requires the provision of advisory on-street disabled parking for disabled persons. This report proposes to include those bays lying within the Eildon area in a region-wide Traffic Regulation Order to make the existing bays enforceable (omitting those which are no longer required since the beginning of consultation).

2 RECOMMENDATIONS

- 2.1 I recommend that the Eildon Area Forum approves the inclusion of disabled parking places in the Eildon Area listed in Appendix A (as amended by removals) in The Scottish Borders Council (Disabled Persons Parking Places) Order 2015.**

3 BACKGROUND

- 3.1 The Disabled Persons Parking Places (Scotland) Act 2009 came into effect on 1 October 2009 and imposed a duty on Local Authorities to provide advisory on- street parking places for disabled persons.
- 3.2 Under the Council's Scheme of Administration, approved on 01/01/15, Area Forums approve the making of temporary, permanent or experimental orders for the regulation of traffic.
- 3.3 The proposed Traffic Regulation Order (TRO) covers the whole of the Scottish Borders Council Area and this Area Forum is asked only to approve disabled bays within its own area.
- 3.4 Since the TRO was prepared and advertised, a number of disabled bays are now not required and have been brought to our attention for removal. These bays will not be included in the final TRO and are shown as struck off in the draft schedule shown in Appendix A. This could have been for any number of reasons, such as death or failure to renew the blue badge.
- 3.5 Statutory Consultation on the proposals was carried out from 22/04/2014 to 21/05/2014. No adverse comments were received at this stage.
- 3.6 The proposals were advertised to the public from 29/01/2015 to 02/03/2015. Two objections were received for the disabled bay at Balmoral and one objection for Wood Street. The objections are included in Appendix B and discussed respectively in 3.7 and 3.8 below.
- 3.7 The objections in Balmoral Terrace, Galashiels relate to a disabled bay being marked directly outside the objectors' properties in Balmoral Terrace. There are a number of points raised in the two objection letters. The main issue, mentioned by both objectors, is that the person for whom the bay was provided no longer has the use of a car. On investigation, this has been confirmed as being the case. It is recommended that this bay is excluded from the TRO at this time but that the bay should remain as advisory until the Blue Badge holder has use of a vehicle. Consequently, the bay has been shown as struck off in the draft schedule in Appendix A. A location plan is shown in Appendix B.
- 3.8 The objection in Wood Street, Galashiels relates to a disabled bay being marked directly outside 124/126 Wood Street. The objection is on the basis that the resident Blue Badge Holder has since moved from Wood Street. Numerous attempts have been made to contact the resident who originally applied for the Blue Badge without success. This would seem to confirm the objector's comments and the bay has been shown as struck off in the draft schedule in Appendix A. A location plan is shown in Appendix B.

4 IMPLICATIONS

4.1 Financial

The costs associated with signs and lines have already been incurred when the disabled bays were introduced as advisory bays under the Disabled Persons Parking Places (Scotland) Act 2009. The only remaining costs are associated with advertising and making of the Traffic Regulation Order.

Advertising region-wide TRO £3,000

All costs would be borne by the existing Aids to Movement budget.

There are no costs associated with removing the bays as these works have been carried out.

4.2 Risk and Mitigations

(a) The risks of not proceeding with the recommendation are that the bays would not be enforceable.

(b) There are no perceived risks of proceeding with the recommendation.

4.3 Equalities

An Equalities Impact Assessment scoping exercise has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

4.4 Acting Sustainably

There are no significant impacts on the economy or environment arising from the proposals contained in this report.

4.5 Carbon Management

There are no significant effects on carbon emissions arising from the proposals contained in this report.

4.6 Rural Proofing

It is anticipated that there are no adverse effects on the rural area from the proposal contained in this report.

4.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

5 CONSULTATION

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

Approved by

Andrew Drummond-Hunt
Service Director Commercial Services

Signature

Author(s)

Name	Designation and Contact Number
Gary Haldane	Assistant Engineer, Network – 01835 82 6642

Background Papers: None

Previous Minute Reference: None

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Contact us at Jacqueline Whitelaw, Place, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email eitranslationrequest@scotborders.gov.uk.

Appendix A – Draft Schedules

GALASHIELS DISABLED PARKING BAYS

E001 E030	Broom Drive (south east parking areas)	E001. Opposite southern kerbline of Whin Court junction, 2 nose in parking bays over 6.6m E030. 34m north of southern kerbline of Whin Court junction, 2 nose in parking bays over 6.6m
E002 E027 E034 E087	Croft Street (north east side)	E002. From a point 5m north west of its junction with Thornbank Street, north west for 6.6m E034. From a point 17.5m north west of its junction with Thornbank Street, north west for 6.6m E027. From a point 47.5m north west of its junction with Thornbank Street, north west for 6.6m E087: From a point 32m south east of the extended south eastern kerbline of Douglas Place, south east for 6.6m
E003	Wood Street (south west side)	From a point 71.5m west from its junction with Kilknowe Place, west for 6.6m
E005 E008 E067 E004	Balmoral Avenue (south east side)	E067. From a point 68m south west of its junction with Forest Gardens, south west for 6.6m E008. From a point 33m north east of its junction with Balmoral Terrace, north east for 6.6m. E005. From a point 25m north east of its junction with Balmoral Road, north east for 6.6m E004: 1st bay in middle parking area (nose in)
E006	Forest Crescent (west parking bays)	Most northerly space in parking bay area
E007	Church Street (south side)	From a point 29m west of its junction with Glebe Place, west for 6.6m
E009 E066 E107	Langlee Drive (north side lay-by)	E066, E107. From a point 21m west of its junction with Langlee Road, west for 13.2m E009. From a point 49.5m west of its junction with Langlee Road, west for 6.6m

E010 E072 E082 E089	Meigle Street (south side)	E010: From a point 61m west of its junction with Balmoral Avenue, west for 6.6m E072: From a point 56m west of its junction with Forest Gardens, west for 6.6m E082: From a point 35m east of the extended eastern kerbline of Forest Gardens, east for 6.6m E089: From a point 112.5m west of the junction with Balmoral Avenue, west for 6.6m
E011	Bridge Street (south west side)	From a point 31m south east of its junction with Johnstons Close, south east for 6.6m
E012 E018	Mossilee Crescent (south side)	From a point 38.5m from Forest Hill junction, west for 13m
E013	St Andrew Street (south west side)	From a point 30m north west of its junction with St John Street, north west for 6.6m
E014 E024 E063 E075 E088	Wood Street (north east side)	E063: From a point 56m west of its junction with Kilnknowe Place, west for 6.6m E014: From a point 78.1m west of its junction with Kilnknowe Place, west for 6.6m E024: From a point 159m west of its junction with Kilnknowe Place, west for 6.6m E075: From a point 3m west of its junction with church access, west for 6.6m E088: From a point 70.5m west of the extended western kerbline of Westwood Gardens, west for 6.6m
E016 E071	Woodstock Avenue (south side)	E016: From a point 42m west of its junction with Woodstock Road, west for 6.6m E071: From a point 37m west of its junction with Marmion Road, west for 6.6m
E019 E023	Forest Place (south side)	E023: From a point 11m east of its junction with Forest Avenue, east for 6.6m E019: From a point 79m east of its junction with Forest Avenue, east for 6.6m
E024	Glenfield Terrace (north side)	From a point 47m east of its junction with Glenfield Crescent, east for 6.6m
E022 E074 E083	Aster Court (north side)	E022: Second bay in from the east entrance. E074/E083: Two most north westerly bays.

E025	Halliburton Place (north side)	From a point 27m east of steps between Halliburton Place and Glendinning Terrace, east for 6.6m
E026	Tweed Terrace (north side)	From a point 24.5m east of the junction to u/c back road through Tweed Crescent, east for 6.6m
E028	Duke Street (south east side)	From a point 36m south west of its junction with King Street, south west for 6.6m
E029	Tweed Road (south side)	From a point 56.5m east of its junction with Tweed Crescent, east for 6.6m
E034	Elm Row (east side)	From a point 9m north of its junction with Barr Road, north for 6.6m
E032	Whin Court (south side)	From its western extremity, east for 13m
E033	Balmoral Terrace (west side)	From a point 13m south east of its extended western kerbline with Balmoral Road, south east for 6.6m
E035	Glebe Place (south side)	From a point 75m east of its junction with Elm Row, east for 6.6m
E061	Forest Crescent (north side)	From a point 46.5m west from its junction with Forest Avenue, west for 6m
E062 E099	Tweed Road (north side)	E062: From a point 15.5m west of its junction with Waitknowe Terrace, west for 6.6m E099: From a point 128m west of its junction with Waitknowe Terrace, west for 6.6m
E065	Forest Gardens (north side)	From a point 65.5m east of its junction with Forest Avenue, east for 6.6m
E068	Church Street (north side)	From a point 6.5m west of the access to the path, west for 6.6m
E073	Laurel Grove (west side) Nose in	From a point 51m south of its junction with Beech Avenue, south for 2.5m.
E084	Balnakiel Terrace (north east side)	From a point 63m north east of the extended northern kerbline of Kilknowe place, north east for 6.6m
E085	St John Street (south side)	From a point 7.5m from the extended western kerbline of St Andrews Street, west for 6.6m
E086	Kenilworth Avenue (north side)	From a point 10m west of the extended western kerbline with Talisman Avenue, west for 6.6m
E090	Talisman Avenue (north side)	From a point 52m east of the junction with Langlee Road, east for 6.6m
E098	Scott Crescent (south east side)	From a point 93m south east of the junction with St Johns Street, south east for 6.6m

E100	Gala Park (south west side of east leg)	From a point 44m south east of its junction with Balmoral Place, south east for 6.6m
E104	Magdala Terrace (north side)	From a point 87m south east of the junction with Halliburton Place, south east for 6.6m
E109	Balnakiel Terrace (south west side)	The 6th bay (from south) in parking area
E112	Scott Street (north east side)	From a point 35m north west of the junction with St Johns Street, north west for 6.6m
E114	Glebe Place (north side)	From a point 105m east of its junction with Elm Row, east for 6.6m
E115	Kilnknowe Place (north side - most westerly parking area)	Most central bay in parking area

Appendix B – Objections and Location Plans

Balmoral Terrace

Many thanks for the letter put through my door, regarding the disabled parking space in our street.

I would like to put in an objection to this disabled bay becoming enforced.

There is little enough parking in the street as it is, without this space being made enforceable. There are young mums with kids in the street and hardworking self-employed workmen with valuable tools and equipment. It makes life a lot easier if we can see that our vehicles are safe in front of our doors. Often we have to park the van across the road at Nikis bar, where it is on the level, but we can't see what is being done to the vehicles.

The lady across the road had this disabled parking space put down, but she no longer has a car. Her front door faces onto the street that I was referring to in the last paragraph. So it would make sense to have the disabled parking space moved to this vicinity.

It is tricky for an able bodied person to get out of their car when it is parked on the hill. So it will be a lot harder for a disabled person to hold the car door open, whilst trying to get out of the car.

Yours.

25th February 2015

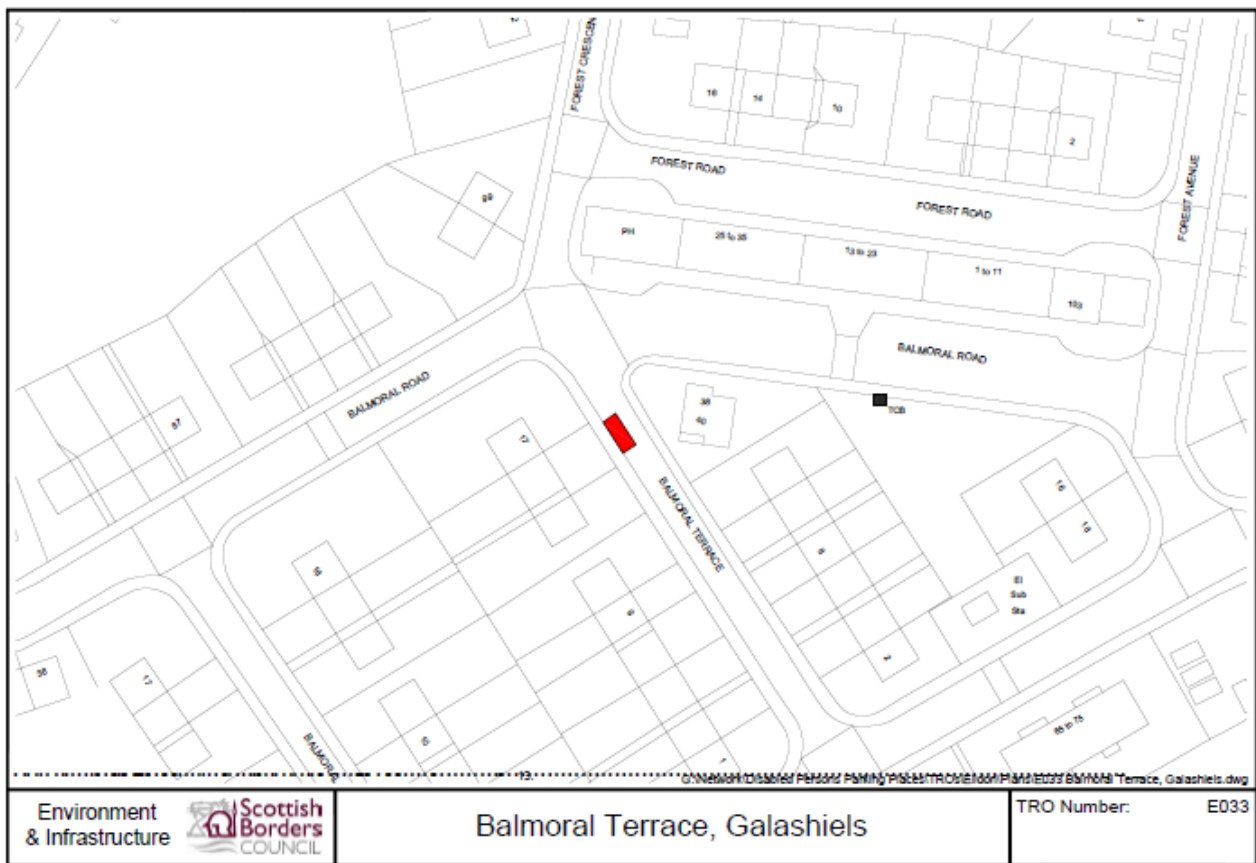


Reference - Disabled parking space at Balmoral Terrace.

We wish to express our objection to the disabled parking bay situated directly outside my property at 15 Balmoral Terrace, Galashiels. For the following reasons -

1. The disabled space is not being used and has not been used for quite some time due to the person now not having a vehicle.
2. There does not seem to be anyone in the vicinity that could have use of this facility on a regular basis.
3. The road is one way and parking is an issue in the area, outwith daytime working hours.
4. Due to the issues of parking and damage I have received to my car because of the width of the street we are hoping to have a driveway made into our property and the disabled bay is right in front of our house on our side of the road.

I have previously directed my concerns regarding this space to Samantha Elliot and I was advised that I would have this opportunity to object so I hope to hear your reply soon. I realise the resident for this space is still in receipt of a Blue badge but as I am aware does not have a vehicle registered at her address.
Ref: email communication sent 14 January 2015. 13:11pm



Wood Street

Objection e-mail

-----Original Message-----

From:

Sent: 30 January 2015 14:44

To: enquiries

Subject: Disabled parking.

Sirs,

I see that a notice has been attached to the railings outside my premises regarding disabled parking spaces.

The disabled space outside 124/126 wood street, Galashiels was put there to assist the disabled resident of 124. BUT this person no longer resides in Galashiels never mind wood street, therefore, the residents around, obviously wrongly, thought the markings would be removed.

My belief was that the spaces were set aside for the person who applied and if they left then the markings would be removed.

Parking is bad enough up here without spaces having to sit empty because there is no one disabled to use them.

We would obviously not park in a disabled space if there was a disabled person requiring it.

Your comments would be appreciated.

Yours faithfully

Resident.

Response to Objection

Thank you for your email

The notices which have been erected adjacent to the bays are part of the statutory consultation to members of the public. Should you wish to register a comment or objection to this bay or any other, it must be submitted in writing to the address on the notice.

When disabled parking spaces are provided we ask that the residents inform us, should the space no longer be required. In some cases this does not happen and we rely on neighbouring residents to contact us. Having checked our records, this bay has not been reported for removal, so further investigation will be carried out and if appropriate the bay will be removed.

I trust this is in order.

Regards,

Gary Haldane EngTech TMICE
Assistant Engineer - Road Safety & Traffic Management
Scottish Borders Council

