

**TRAFFIC REGULATION ORDER OBJECTIONS ASSOCIATED WITH THE PROPOSAL
FOR SIX DISABLED PERSONS PARKING BAYS IN FAIRFAX COURT, ELY**

To: **Richard Lumley, Assistant Director of Highways and the
Local Member representing the Electoral division below.**

Meeting Date: **8th February 2018**

From: **Executive Director: Place and Economy.**

Electoral division(s): **Ely South.**

Forward Plan ref: **N/A** *Key decision:* **No**

Purpose: **To determine an objection to received to the Traffic
Regulation Order (TRO) associated with Fairfax Court, Ely**

Recommendation: **a) Implement the restrictions as advertised .
b) Inform the objectors accordingly**

<i>Officer contact:</i>	
Name:	Richard Lumley
Post:	Assistant Director, Highways Service
Email:	Richard.lumley@cambridgeshire.gov.uk
Tel:	01223 703839

1. BACKGROUND

- 1.1 Fairfax Court is located off of Downham Road to the west of Ely City Centre (approximately 550 metres west of Market Place). For location plan see Appendix 1.
- 1.2 Blue badge holders can apply to Cambridgeshire County Council for a disabled persons parking bay providing they meet the required criteria. The County Council will endeavour to provide applicants with a place to park their vehicles on the public highway where possible. Funding is provided through the Council's Accessibility Budget.
- 1.3 Providing a disabled persons parking bay can enable the applicant to maintain their independence. If there is pressure for parking spaces in the locality of the applicant's home address they may be deterred from leaving their home in their car because they fear they won't be able to park near to their home when they return.
- 1.4 Six applications for disabled persons parking bays were submitted to Cambridgeshire County Council by the residents of Fairfax Court, Ely.
- 1.5 Fairfax Court is a cul de sac of 16 bungalows with off street parking spaces for 9 cars with space for an additional 6 cars parking on street within Fairfax Court. As well as demand for parking spaces from the residents of Fairfax Court there are additional pressures on parking from residents of nearby roads (such as Downham Road) using Fairfax Court for parking as well parking spaces being used by parents/carers dropping off and picking up children from the Rainbow Pre-School opposite on Downham Road.

2. TRO PROCESS

- 2.1 The TRO procedure is a statutory consultation process that requires the Highway Authority to advertise, in the local press and on-street, a public notice stating the proposal and the reasons for it. The advert invites the public to formally support or object to the proposals in writing within a twenty one day notice period.
- 2.2 The TRO was advertised in the Ely Standard on the 9th November 2017. The statutory consultation period ran from 9th November 2017 until 30th November 2017. A plan showing the location of the proposed restriction can be found at appendix 2.
- 2.3 The statutory consultation resulted in 2 objections, which are detailed in Appendix 3. One of the objections was signed by the residents of 1 to 4 Fairfax Court. There were no comments from any of the emergency services whilst the Police offered no objection. The City of Ely Council support the proposal. The officer responses to the objection are also given in the table.
- 2.4 On the basis of this analysis, it is recommended that the restriction is implemented as advertised.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

There are no significant implications for this priority.

3.2 Helping people live healthy and independent lives

There are no significant implications for this priority.

3.3 Supporting and protecting vulnerable people

There are no significant implications for this priority.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

The necessary resources to progress this project have been secured through the Accessibility Budget.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications for this category.

4.3 Statutory, Legal and Risk Implications

The statutory process for this proposal has been followed.

4.4 Equality and Diversity Implications

There are no significant implications for this category.

4.5 Engagement and Communications Implications

The statutory consultees have been engaged, including County and District Councillors, Police and other emergency services. Notices were placed in the local press and were also displayed on the road where it is proposed to implement the restrictions and a letter drop carried out to effected properties. The proposal was available to view in the reception area of Shire Hall, Vantage House at the office of East Cambridgeshire District Council and online.

4.6 Localism and Local Member Involvement

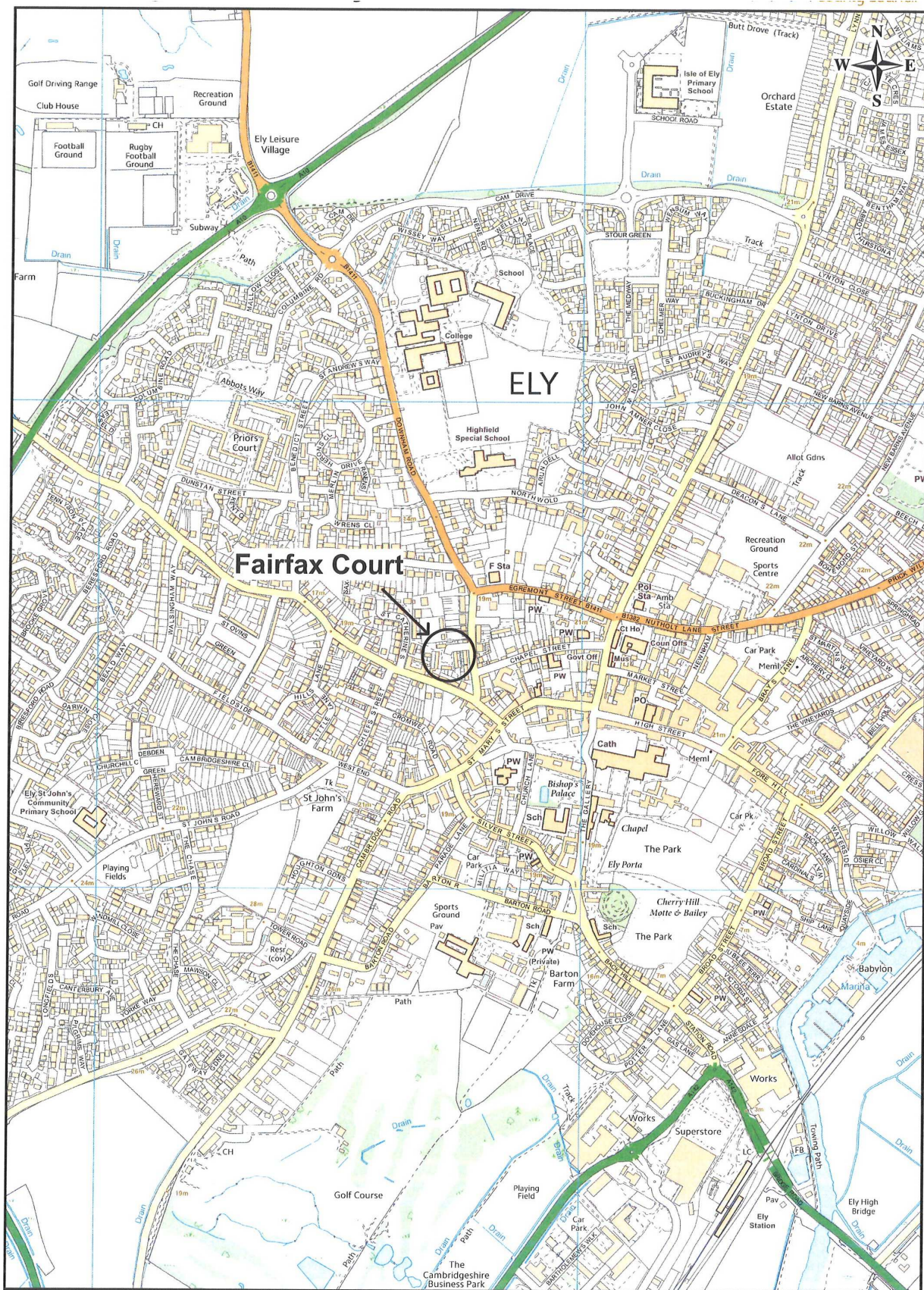
The County Councillor and District Councillors have been consulted regarding the scheme. The Local Member Cllr Bailey has not expressed a view.

4.7 Public Health Implications

There are no significant implications for this category.

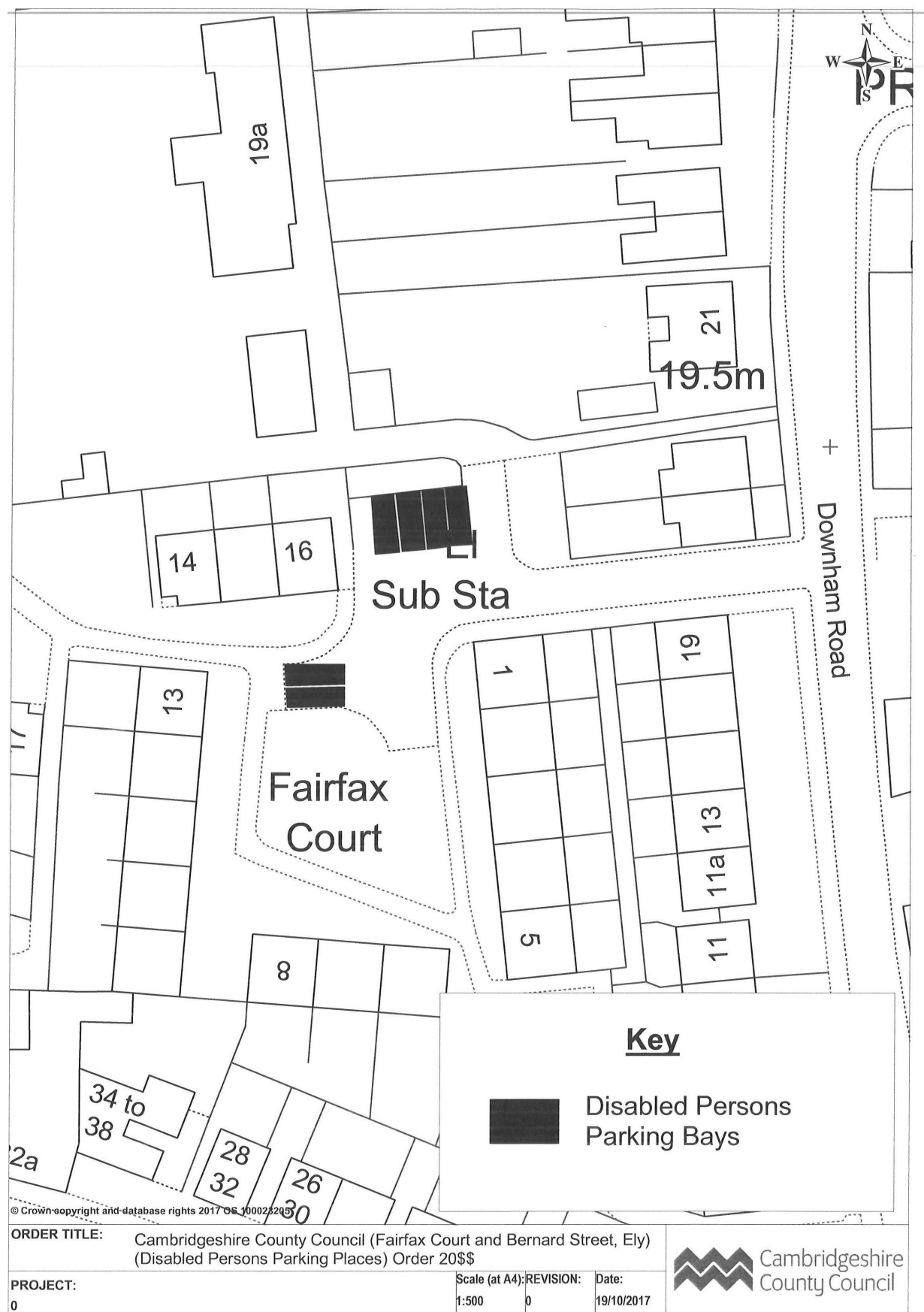
Source Documents	Location
Objections Draft Traffic Regulation Order	Vantage House, Washingley Road, Huntingdon PE29 6SR

Appendix 1 – Location Overview



Scale (at A4): 1:10000 Centred at: 553764,280491 Date:25/01/2018 © Crown copyright and database rights 2018 OS 100023205

Appendix 2: Proposed Disabled Persons Parking Bays, Fairfax Court, Ely



Appendix 3 – Summary of Objections and Representations on Fairfax Court, Ely Proposals and Officer Responses

No.	Summary of Objection/ Representation	Officer Response
1	<p>a)</p> <p>On behalf of my Mother, and the residents of numbers 1 to 4 Fairfax Court, I would like to pass on my concerns regarding the proposals for six disabled parking bays to replace six unrestricted parking bays. Firstly, there are currently 16 households in Fairfax Court and there are more than six disabled badge holders. Replacing six unrestricted bays with six disabled bays would not really solve the situation of the parking issues we have in the area. The current problem is caused by workers/commuters and the Rainbow nursery drop-offs parking in the residential area of Fairfax Court. Allocating disabled only bays would exacerbate the problem of the residents because their carers (including family carers), support workers and medical personnel would have even more of a problem parking and directly impact their clients, which is potentially harmful for their lives.</p>	<p>Firstly to clarify this Order has not been made as an attempt to solve parking issues that may exist in Fairfax Court but has been made following the receipt by Cambridgeshire County Council of 6 applications for Disabled Persons Parking Bays by residents of Fairfax Court.</p> <p>Solving street parking issues on the section of Fairfax Court from its junction with Downham Road westwards into the court are beyond the scope of the Disabled Persons Parking Place Order and would need to be addressed separately whether this be through prohibition of waiting (double yellow lines) or waiting restrictions. Such restrictions would require a separate Traffic Regulation Order and would need to be funded through the Local Highway Initiative (i.e. part funded by the local Council and County Council) and would need the support of local Councillors or be funded independently by third parties.</p> <p>Given that these disabled parking bays have been requested by residents of Fairfax Court they are likely to be used mainly by the residents that have requested them and therefore they should not add to the number of vehicles parking in Fairfax Court. Although Disabled Persons Parking Bays can be used by all blue badge holders it is likely that they will be mainly used by residents who are blue badge holders or visitors of residents who are blue badge holders (who would not normally be using the bay for long periods). As blue badge holders can park for free in a number of car parks or in on street parking places provided in Ely City Centre these bays are unlikely to be used by blue badge holders visiting the City Centre.</p> <p>Concern has been raised regarding parking for carers, support workers and medical personnel. Carers and support workers would be able to use other available on street parking or parking</p>

	<p>b) A much better solution would be to extend the double yellow lines along the access road to Fairfax Court and the addition of one-hour limited parking (no return within 3/4 hours) to accommodate the nursery drop-offs during specific hours of the day. This would then consequently help carers and family carers attend to their clients.</p> <p>c) To take the matter further, we would prefer that the bays were made into residents only parking. In conclusion, I object to the proposals of disabled only parking bays in Fairfax Court.</p>	<p>areas if there are no available spaces in Fairfax Court (having dropped off or picked up residents if needed). Emergency vehicles would be able to park in restricted areas in the event of an emergency.</p> <p>If any restrictions (such as double yellow lines or waiting restrictions) were to be implemented in Fairfax Court they would apply to all road users so they would prohibit parking (if double yellow lines) or restrict the hours of parking for residents and carers as well as other road users. See also response to above for need for separate TRO and funding.</p> <p>Regarding suggestions of a residents only parking, again this would be beyond the scope of this Order. Any proposed residents parking scheme would need to go through vigorous localised consultation and engagement process and would need the support of local Councils and Councillors. Before a scheme is implemented an assessment is made to make sure that introducing a scheme is technically and financially feasible. Implementing parking restrictions requires the making of a legal order, which involves a statutory consultation process that requires the Highway Authority to advertise, in the local press and on-street, a public notice stating the proposal and the reasons for it. The advert invites the public to formally support or object to the proposals. Should any objections be received then a report would go before Members for decision.</p> <p>As there is a 'Residents Parking Only' sign on boundary the wall of 19c Downham Road which is quite easy to miss it could be an option to ask Sanctuary Housing if they could improve signage (for example by putting up a sign on the outside wall of 19 Downham Road and No. 1 Fairfax Court) to draw attention to motorists that it is requested that parking in Fairfax Court is for residents only. It may also be worth raising the parking issues with the Rainbow Pre-School so they could ask staff and parents not to park in Fairfax Court.</p>
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2	<p>a)</p> <p>Firstly this proposal is not fair on all the residents of Fairfax Court, at the time this proposal was made 6 people had disabled badges, what about the people who live in Fairfax Court who do not have a disabled badge ? where are they expected to park?</p> <p>There are 8 parking bays, so only 2 spaces are for non-disabled residents, which will be outside No: 1 who does have a blue badge but has told me he will still park outside his house!!!! Now we have 1 space for non-disabled people.</p> <p>Also people are leaving the Court, 2 people in the last 4 months, so if the new residents don't have a blue badge where are they going to park?? Moving onto 2019-2020 and beyond how does anybody know how many people who live here will need disabled parking?</p> <p>b)</p> <p>Why can't we have residents parking, this was what the residents asked for NOT just disabled parking ?</p> <p>So the 8 bays as residents parking ONLY and down the side of the road 1 hour limited parking, which the carers etc. would be able to park.</p>	<p>Given that these disabled parking bays have been requested by residents of Fairfax Court they are likely to be used mainly by the residents that have requested them and therefore they should not add to the number of vehicles parking in Fairfax Court. Although Disabled Persons Parking Bays can be used by all blue badge holders it is likely that they will be mainly used by residents who are blue badge holders or visitors of residents who are blue badge holders (who would not normally be using the bay for long periods). As blue badge holders can park for free in a number of car parks or in on street parking places provided in Ely City Centre these bays are unlikely to be used by blue badge holders visiting the City Centre.</p> <p>When consultations were carried out in June a plan was sent out showing the proposed locations of the Disabled Persons Parking Bays and the resident at No.1 Fairfax Court did not comment on the locations of the bays. All of the proposed disabled persons parking bays are within 10-15m of No. 1 Fairfax Court.</p> <p>As well as the parking bays in Fairfax Court there is also some on street parking available and Fairfax Court is signed as being residents only parking. If in the future any of the disabled bays are not being used it is possible to remove them by making a legal Order in the same way as is made to implement them</p> <p>Solving street parking issues on the section of Fairfax Court from its junction with Downham Road westwards into the court are beyond the scope of the Disabled Persons Parking Place Order and would need to be addressed separately whether this be through prohibition of waiting (double yellow lines) or waiting restrictions. Such restrictions would require a separate Traffic Regulation Order and would need to be funded through the Local Highway Initiative (i.e. part funded by the local Council and County Council) and would need the support of local Councillors or be funded independently by third parties.</p>

		<p>If any restrictions (such as double yellow lines or waiting restrictions) were to be implemented in Fairfax Court they would apply to all road users so they would prohibit parking (if double yellow lines) or restrict the hours of parking for residents and carers as well as other road users.</p> <p>Regarding suggestions of a residents only parking, again this would be beyond the scope of this Order. Any proposed residents parking scheme would need to go through vigorous localised consultation and engagement process and would need the support of local councils and Councillors. Before a scheme is implemented an assessment is made to make sure that introducing a scheme is technically and financially feasible. Implementing parking restrictions requires the making of a legal order, which involves a statutory consultation process that requires the Highway Authority to advertise, in the local press and on-street, a public notice stating the proposal and the reasons for it. The advert invites the public to formally support or object to the proposals. Should any objections be received then a report would go before Members for decision.</p>
	<p>c)</p> <p>The extra parking down the side of the road is used mainly by residents of Downham Road (not people from the bungalows) I have pointed out to 2 separate people that it is residents parking only, to which I was told they could park there and what did I think I could do about it, I am a pensioner with medical problems and I felt intimidated by these people.</p>	<p>As there is a 'Residents Parking Only' sign on boundary the wall of 19c Downham Road which is quite easy to miss it could be an option to ask Sanctuary Housing if they could improve signage (for example by putting up a sign on the outside wall of 19 Downham Road and No. 1 Fairfax Court) to draw attention to motorists that it is requested that parking in Fairfax Court is for residents only. It may also be worth raising the parking issues with the Rainbow Pre-School so they could ask staff and parents not to park in Fairfax Court.</p>
	Summary of statement of support	Officer response
1	<p>The City of Ely Council considered the two above orders at the Full Council meeting on the 20th November. Members unanimously agreed to support both of these proposals.</p>	<p>Noted.</p>