



**ENVIRONMENT SELECT COMMITTEE**  
**07 June 2011 at 7.00 pm**

**AGENDA**

**Membership:**

Chairman: Cllr. I Bosley

Vice-Chairman Cllr. J Grint

Cllr. L Abraham, Cllr. L Ayres, Cllr. K S Bayley, Cllr M Butler, Cllr. Ms I Chetram,  
Cllr. P Cooke, Cllr. C Dibsall, Cllr. J Edwards-Winser, Cllr. A Eyre, Cllr. J London,  
Cllr. K Maskell, Cllr. Mrs E Purves, Cllr. G Ryan, Cllr. Mrs J Sargeant, Cllr. J Scholey,  
Cllr. T Searles and Cllr. G Williamson

Apologies for absence

1. **Minutes of the meeting of the Committee held on 12 April** (Pages 1 - 8)
2. **Declarations of interest**
3. **Formal Response from the Cabinet following matters referred by the Committee**  
*(None)*
4. **Actions from previous meeting**  
*(None)*
5. **Overview and Scrutiny Training**  
*Christine Nuttall*
6. **Charging Regime for the Provision of On-Street Disabled Parking Places** (Pages 9 - 20)  
*Garry Connor*
7. **Future Business, the Work Plan 2010/1 and the Forward Plan** (Pages 21 - 22)

Members are given the opportunity to raise anything that may be of future interest to the Committee. Would Members please refer to the most recent version of the Forward Plan which is circulated separately to this agenda.

## **EXEMPT ITEMS**

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

**The Democratic Services Team (01732 227241)**

**ENVIRONMENT SELECT COMMITTEE**

**Minutes of a meeting of the Environment Select Committee held on  
12 April 2011 commencing at 7 pm**

Present: Cllr. Walshe (Chairman)  
Cllr. Ryan (Vice-Chairman)

Cllrs. Abraham, Dibsdall, Grint, London, Maskell, Mrs Purves, Mrs Sargeant, Scholey and Waller.

Apologies for absence were received from Cllrs. Mrs Cook, Cooke, Lankester and McInnes.

Cllrs. Mrs Davison, Davison and Pett were also present.

Officers: Mr Wilson, Head of Environmental and Operational Services; Mr Kehoe, Head of Development Services; Mr Dyer, Planning Policy Manager; Mr Craddock, Senior Planning Officer; Mr Fullwood, Consultant; Mrs Beaumont, Democratic Services Officer.

47. **MINUTES OF PREVIOUS MEETING**

Resolved: That the minutes of the meeting of the Environment Select Committee held on 8 February 2011 be approved and signed by the Chairman as a correct record.

48. **DECLARATIONS OF INTEREST**

There were no declarations of interest on any matter discussed at the meeting.

49. **FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS REFERRED BY THE COMMITTEE** (Item No. 3)

There were no matters reported.

50. **ACTIONS FROM PREVIOUS MEETING** (Item No. 4)

There were no actions from the previous meeting.

51. **FUTURE BUSINESS AND THE WORK PLAN 2010/11** (Report No. 5)

The Committee discussed the contents of the Work Plan and the following comments were made:

- The Committee asked for Business Support to be on the agenda for June 2011.
- It was agreed that aviation issues be put on the agenda for June 2011. The Vice-Chairman undertook to request that the three main lobby groups with regard to issues with air traffic from Gatwick airport be asked to present their arguments in the form of a report to the Committee. The Committee would

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then request that Cabinet consider these in agreeing their response to consultation.

- It was requested that Local Listing be included in the list of items to be considered in the future. The Chairman noted that letters were being distributed to the relevant parties and responses may not be prepared in time for the June meeting of the Committee.

#### 52. CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS – HARTSLANDS, SEVENOAKS (Report No. 6)

The Consultant responsible for preparing the Management Plan was pleased to announce that the Hartslands area had been examined and found to be of significant architectural and historical interest to warrant designation as a conservation area. Details of the examination were included in the Management Plan. An extensive amount of community engagement had been undertaken, including leafleting of businesses and residents, a local exhibition and formal consultation. As a result of the consultation changes had been made to the boundary of the Conservation Area and further buildings of historical interest had been included. Responses to the consultation had been mainly positive.

The local Member was very pleased with the appraisal, particularly the exhibition and walk around which had been attended by a significant number of residents. She hoped that Cabinet would approve the recommendation.

Members of the public agreed with the local Member. However, there was an amount of concern that residents were not fully aware of the costs associated with living in a conservation area. The Consultant confirmed that further guidance would be produced with regard to replacement of windows, doors and roof material.

In response to a comment, the Consultant explained that the modern development in the centre of Prospect Road would not be excluded from the Conservation Area as he felt that this would split the character of the street.

Resolved: That, it be recommended to Cabinet that the Hartslands Conservation Area be designated, the Plan be adopted as informal planning guidance and a material consideration in the determination of development proposals and that additional guidance be provided to residents.

#### 53. UPDATE TO THE LOCAL DEVELOPMENT SCHEME (Report No. 7)

The Planning Policy Manager explained that the Local Development Scheme (LDS) was the document that set out the Council's proposals and timetable for the production of the Local Development documents. Under current legislation the LDS was required to be produced and submitted to the Secretary of State for approval. Paragraph four of the report outlined the suggested changes to the adopted LDS including the combination of the Allocations and Development Management Development Plan Documents into one.

It was explained that the LDS was required to look three years in advance. By 2014 the relevant documents would be complete enough to replace the current Local Plan documents.

A typographical error on page 88 of the agenda was noted and the Planning Policy Manager undertook to amend it.

Resolved: That the Environment Select Committee support the proposed revisions to the Local Development Scheme.

54. LDF ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLANNING DOCUMENT – DRAFT POLICIES FOR CONSULTATION (Report No. 8)

The Planning Policy Manager explained that the second document to be produced as part of the Core Strategy was the Allocations and Development Management Development Plan Document (DPD) which contained policies which would replace the remaining “saved” Local Plan policies. The proposed combination of the Allocations DPD and Development Management DPD would be completed following consultation. The document would return to be considered by the Committee following consultation, after which it would undergo the statutory processes to determine whether it was sound.

It was noted that following a meeting of the Local Development Framework Advisory Group, some amendments to the document had been tabled for Members’ attention.

The Committee considered each policy and the following comments were made:

Policy SC 1 – Sustainable Development

Members were concerned about and discussed in detail the definition of the term “mixed and socially inclusive communities”. It was agreed that the wording be changed to “balanced communities” to coincide with the key aims of the Council’s Community Plan.

Members also requested that the main body of the supporting text be amended to add reference to the Council’s policy statement on Balanced Communities.

Policy SC 3 – Amenity Protection

The Planning Policy Manager noted the amendment to the last sentence of the Policy.

A Member was concerned regarding the broad definition of the wording “adversely prejudice” and it was agreed the word “significantly” be included before this.

Policy SC 4 – Re-use of Redundant School Buildings

It was clarified that the second paragraph of the Policy allowed for change of use to residential units but only if no community need had been identified. It would be expected that planning applicants demonstrate their investigation into the needs of the community before permission would be granted for residential units.

In response to a query, the Planning Policy Manager confirmed that the Policy did include redevelopment of buildings and/or the site.

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Policy SC 5 – Loss of Neighbourhood Services and Facilities

The Planning Policy Manager explained that this Policy was intended to compliment Policy LO7 of the Core Strategy which applied to rural settlements. Policy LO7 supported proposals to enable services to be retained in rural areas. Policy SC5 related to mainly urban areas.

In response to a concern regarding wording, the Planning Policy Manager explained that where a planning application involved the loss of services or facilities that met local needs, the Council would generally “resist” by refusing planning permission.

Policy ECC 1 – Outdoor Lighting

Following comments from Members, the Planning Policy Manager undertook to reword the Policy to include indoor light affecting the outdoor environment.

Policy HA 2 – Demolitions within Conservation Areas

It was agreed that the wording “visual interest” be replaced with “visual quality”, “small-scale village context” be replaced with “local context” in paragraph 3.17 and in the Policy the word “acceptable” be replaced with “sympathetic”.

Policy GB 1 – Re-use of Buildings within the Green Belt

Amendments to the supporting text were noted.

It was explained that the limit to keep 75% of the original structure was intended to ensure properties were converted and not re-built.

Policy H1 – Residential Conversions

The Planning Policy Manager noted the amendment which would enable the Policy to cover all residential developments.

Policy H2 – Limited Extensions or Outbuildings to Existing Dwellings within the Green Belt

The Local Development Framework Advisory Group had suggested an additional question be asked during consultation regarding larger extensions to smaller properties.

The Planning Policy Manager explained that volume was more relevant to the impact of an extension on the Green Belt as floor space did not always equate to volume. The limit of 30% was suggested by Development Services as Officers felt it would be helpful to Officers and applicants for the policy to specify a figure and that 30% was an appropriate limit having regard to Green Belt policy.

With regard to the additional question, a Member noted that the current 50% limit on extension was intended to maintain some level of affordability in rural areas. Should smaller dwellings be allowed to increase by a larger percentage they may no longer be small dwellings and therefore may be unaffordable.

Policy H5 – New Residential Care Homes (Class C2)

In response to a query, the Planning Policy Manager explained that the consultation on the Core Strategy had led to comments that specific housing needs should be provided for in developments integrated within communities. The Planning Policy Manager undertook to amend the Policy to stress the importance on integration.

It was agreed that the word “network” in subsection 1. be changed to “service”.

Promoting Land for Gypsy and Traveller and Travelling Show People Accommodation

The Planning Policy Manager explained that the item enabled sites to be proposed for consideration. He felt that the Council would need to establish a way forward that recognised environmental constraints.

Many Members were unhappy about the situation as a whole.

Policy T1 – Mitigating Travel Impact

An amendment to the last line of the Policy was noted.

The Planning Policy Manager confirmed that small scale developments would not be required to contribute to mitigation measures if they had no significant impact. However, considering developments that were located where residents could more easily access rail services would ensure the impact on travel was kept to a minimum.

Policy T2 – Vehicle Parking

Two amendments were noted. The Local Development Framework Advisory Group had also asked that Officers request that Kent County Council review their standards with regard to vehicle parking to avoid significant issues with on-street parking.

Policy LC1 – Sevenoaks Town Centre

It was clarified that the primary frontage of the Town Centre was largely the same as the primary frontage in the Local Plan with the addition of Blighs Meadow. The consideration of the extent of the primary frontage was based on an assessment of the concentrations of retail units but also the size and prominence of the units. The extents of the primary and secondary frontages were identified as specific points for consultation in the consultation questions.

Policy LC3 – Edenbridge Town Centre

Members were concerned regarding the proposed main shopping area as it differed from the intention at the time of the Relief Road. The Planning Policy Manager explained that the proposed boundary reflected differences in the proportion of retail uses in the frontage. The northern and southern areas contained a greater proportion of residential than the central area which was primarily commercial. An amendment was noted that placed greater emphasis on the retention of retail units in the northern and southern areas.

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LT1 – Hotels and Tourist Accommodation

It was clarified that for the Policy to apply the activity of the premises would primarily need to be a hotel.

LT4 – Brands Hatch

Members discussed the item in detail and were concerned that the Policy was too restrictive as most activities undertaken at Brands Hatch would result in increased noise levels. Officers noted that the Policy related directly to proposals that would increase the noise level not to the current level of noise.

The Head of Environmental and Operational Services noted that since the Brands Hatch Management Company had introduced a noise plan complaints from residents regarding noise had significantly reduced.

It was agreed to amend the wording in the Policy from “adjoining residential properties” to “nearby residential properties” and to include the wording “The Council is supportive of the role that Brands Hatch places in the Districts economy and in terms of attracting visitors into the District” from paragraph 10.18 into the Policy.

Resolved: That, subject to inclusion of the various points made by the Committee, Cabinet be recommended:

- a) that the Allocations and Development Management DPD Draft Policies for Consultation be agreed and published for consultation;
- b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments prior to publication to assist the clarity of the document; and
- c) copies be made available for sale at a price to be agreed by the Portfolio Holder.

55. LDF AFFORDABLE HOUSING AND DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENTS – DRAFTS FOR CONSULTATION (Report No. 9)

The Senior Planning Officer explained that the purpose of the documents was to provide further details on how the Council would apply the Core Strategy policies in SP3 (Affordable Housing) and SP9 (Infrastructure Provision). The draft documents were subject to consultation.

Affordable Housing Supplementary Planning Document

The Senior Planning Officer explained that Section 6 of the document would be replaced to make the Council’s proposed financial contributions methodology easier to follow. This was circulated to Members in a schedule of amendments.

Members were concerned that developments might sub-divide in order to bypass the Policy. The Planning Policy Manager confirmed that a clause in the Core Strategy would allow the Council to refuse permission for applications where a proposal was artificially reduced in size in order to reduce the requirement for affordable housing.



Developer Contributions Supplementary Planning Document (SPD)

The Senior Planning Officer advised that the report outlined the key types of infrastructure and services considered in the document. He drew Members' attention to the sections relating to Open Spaces and the Swanley Community Fund. The document sought to provide open space on development sites as the preferred approach, with off-site provision and financial contributions sought where on-site provision was not possible. The SPD contained a methodology for calculating financial contributions, which was based on the cost of developing the open space rather than the cost of purchasing the land. During the Sustainability Appraisal of the Core Strategy it was suggested that the Council consider ways to tackle issues of deprivation in Swanley and the Core Strategy now sought financial contributions toward a Community Support Worker. Members' attention was brought to a proposed amendment that would allow for similar schemes to be developed in other areas where there was an evidence-based need.

In response to a query, the Planning Policy Manager expected that developers would respond to the consultation and hoped that responses would also be received from potential infrastructure providers.

Members were concerned that the majority of services suggested to receive contributions from developers were those provided by other authorities. Officers confirmed that when preparing the Core Strategy they had considered a number of District Council services that might require contributions and had been advised that Council Tax would cover the cost of services. However, contributions could be sought where specific additions to service provision were required due to new development. It was also explained that contributions were usually sought to cover capital rather than revenue costs although, revenue costs could be sought, for a limited period, where there was evidence of a funding gap.

It was noted that Officers would consider justification from service providers for contributions where sufficient supporting evidence was provided.

Resolved: That a) the Environment Select Committee support publication of the drafts for consultation of the Affordable Housing and Developer Contributions Supplementary Planning Documents and that Cabinet be recommended that;

b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments prior to publication to assist the clarity of the documents; and

c) copies be made available for sale at a price to be agreed by the Portfolio Holder.

THE MEETING WAS CONCLUDED AT 10.25 P.M.

Chairman



**ENVIRONMENT SELECT COMMITTEE – 7 JUNE 2011**

**CHARGING REGIME FOR THE PROVISION OF ON-STREET DISABLED PARKING PLACES**

Report of the: Community and Planning Services Director

Status: For decision and recommendation to Cabinet

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- 1. Executive Summary:** This report requests that Members confirm whether a charge should be made for the provision of on-street disabled parking places, taking into account Kent County Council's legal advice.
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**This report supports the Key Aim** of safer communities and the effective and efficient use of resources.

**Portfolio Holder** Cllr. Avril Hunter

**Head of Service** Head of Environmental and Operational Services – Mr. Richard Wilson

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**Recommendation:** It be RESOLVED that it be recommended to Cabinet that either;

- (a) the implementation of interim and enforceable on-street disabled parking places be at no cost to applicants and that they be funded from the on-street parking account, or
  - (b) that a charge be introduced for the introduction of disabled parking bays requiring a traffic regulation order but that the charge does not exceed the maximum level set by Kent County Council (currently £250), and
  - (c) that the level of charge be confirmed.
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**Introduction**

1. Following a lengthy review of the application procedures for providing disabled persons' parking bays, Kent County Council (KCC) has decided not to set a formal policy document on this matter.
2. However, representatives of the Kent District Engineers' Group have agreed that new procedures proposed by KCC should be adopted but that a decision on whether or not to charge for bays should be made by each individual District or Borough.
3. This report therefore seeks a decision on whether a charge should be made for providing disabled parking bays and, if so, the amount to be charged.

**Background Information**

4. An overhaul of the application procedure for providing disabled persons' parking bays has been necessary following legal advice concerning disability discrimination. These issues have been addressed with the new application procedures proposed by KCC (Appendix A). However, following independent legal advice regarding charging, the decision on whether to charge and if so, the amount to charge is to be made at District level.
5. Historically, an agreement between KCC and District and Borough Councils in 2001 stated an administration charge of £30 could be charged for the consideration of disabled parking bay applications. It was thought that the levying of a fee would discourage unwarranted applications. However, the actual costs involved in administering the application and implementing the bay is far greater than £30. Sevenoaks District Council applied the charge until we received notification of KCC's legal advice with regard to disability discrimination. Following that advice, no charge has been made for administering applications.
6. As stated, Sevenoaks District Council previously charged applicants £30 to cover administration costs (whether or not the application was successful) to cover the costs associated with processing the application and site visits, etc. This was considered a small amount compared to the actual costs involved and most applicants were happy to pay this. However, because they had paid, many applicants then believed they had exclusive rights to the bay, despite the fact that it was clearly stated otherwise. Once provided, disabled parking bays are available for use by any Blue Badge holder.
7. Following confirmation from KCC that disabled parking bays could be provided on an 'advisory' basis without a Traffic Regulation Order (TRO), successful applications processed from January 2009 have been provided with an interim bay. These bays have the advantage of being provided much quicker and for less cost, but with the disadvantage that they cannot be legally enforced. However, it should be noted that, as yet, there have been no enforcement issues concerning the interim bays that are currently in place.
8. No charge has been made for interim bays due to the advice from KCC and because the full cost for making a TRO has not been incurred.

**Kent County Council Recommendation**

9. The legal advice received from KCC is that the £30 administration fee that was charged previously is no longer considered to be a legal option for an authority. However, there is a statutory power within Section 111 of the Local Government Act 1972 that will allow for charging of the actual provision of parking bays. This should be distinguished from pre-application administration which is not a statutory process.

10. KCC have recommended that although a charge may be made to the customer to pay for any necessary signs, lines and TRO, this should be capped at £250 per application.

### **Costs Involved**

11. The provision of a permanent disabled bay with a valid Traffic Regulation Order is expensive, both in staff time and public consultations – the majority of that cost normally being the advertising costs of the TRO. Although the District Council presently has favourable terms for the placement of public advertisements, should these terms end, the cost of advertising a TRO is likely to be circa £1,000. However, it is likely that advertisements in respect to disabled bays would be tied in with those for other TRO proposals wherever possible.
12. The cost of marking a bay is currently £40 – £80 (depending on circumstances and weather) and the costs for providing/erecting a sign is approximately £120.
13. Additionally, there are the administration/engineer's costs in processing the application, undertaking consultation and preparing the TRO. Typically, these can be between £100 and £200.
14. The provision of an interim bay involves only the administration/engineer's costs required to process the application and the cost of marking the bay. No TRO is required and therefore no sign or street furniture is necessary.

### **Conclusions and Observations**

15. Although a charge may deter unwarranted requests, the new application procedure clearly defines the criteria for providing a bay and therefore a charge should not be considered for this reason.
16. Many applicants, particularly those who are retired or unable to work, may not be financially able to meet a significant charge for a bay. Should a decision be made to charge, the applicant's likely ability to pay should be taken into account.
17. Should an applicant request that an interim bay be made permanent, a Traffic Regulation Order is required and an additional amount could then be justified. However, applicants will undoubtedly (but incorrectly) still expect to have exclusive rights to park in a bay to which they have contributed. Consideration of the applicant's ability to pay would still apply.

### **Recommendations**

18. In respect to interim bays, and subject to the views of the Cabinet, it is recommended that no charge be made. The minimal costs associated with the lining work can usually be programmed with other works in the area so economies of scale can apply.

19. In respect to permanent bays, it is also recommended that no charge be made as this would seem to be against the ethos of providing a facility for those in need, especially as they have already had to prove that they are in receipt of allowances (e.g the higher rate of disability living allowance or the higher rate of attendance allowance) as part of the qualification process.
20. However, should it be decided that a charge be made, it should be within the recommended maximum of £250 suggested by Kent County Council. However, it should be borne in mind that should a charge be made, it would be more likely that applicants' expectations would need to be carefully managed, as experience shows an applicant would expect exclusive rights to park in the bay (even when advised this is not the case) thus increasing the potential for conflict with other blue badge holders.
21. Should it be decided not to charge and, at some stage in the future, there is found to be a significant increase in the number of requests for permanent bays, Members may then wish to reconsider whether the policy should be amended and a charge made. The matter could then be reported back to this Committee for further consideration.

### **Key Implications – Financial**

22. The number of bays that would be provided as 'legally enforceable' and requiring a TRO are expected to be very low – possibly one or two applications per year. At present the costs associated with this are absorbed within the on-street parking account, as the works are programmed alongside other necessary tasks.
23. Although the introduction of a charge would recover the current costs involved, it would not cover the higher advertising costs (even at the highest 'capped' level) should the favourable arrangements in the local papers come to an end.

### **Community impact and outcomes**

24. The introduction of charges at a higher level than those that previously applied for administration purposes are likely to disadvantage those members of the community who are already in receipt of allowances. This could act as a deterrent to applications and reduce mobility and social inclusion for vulnerable members of the community.

### **Legal, Human Rights, etc.**

25. The District Council has a requirement to adhere to the terms of the Disabilities Discrimination Act and all other appropriate legislation, and must also be aware of the legal counsel received by Kent County Council.

### **Risk Assessment Statement**

26. There are no risks associated with the setting of a charge or the level of that charge, provided this is made in relation to the provision of a bay and not in

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relation to the administration of applications, taking into account legal advice obtained by Kent County Council.

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**Sources of Information:** Appendix A – New application form and guidance notes

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**Contact Officer(s):** Andy Bracey Ext.7323

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**KRISTEN PATERSON  
COMMUNITY AND PLANNING SERVICES DIRECTOR**

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## APPLICATION NOTES FOR A DISABLED PERSONS PARKING BAY

If you require this information in any other format please contact;

The Parking & Amenity team  
Sevenoaks District Council  
Argyle Road  
Sevenoaks  
Kent  
TN13 1HG

***Please read these notes carefully before you complete the application form as they will give you important information regarding your application process.***

**PLEASE NOTE:**

**IF YOUR APPLICATION IS SUCCESSFUL AN INTERIM DISABLED PERSONS PARKING BAY WILL BE INTRODUCED. THIS WILL MEAN THAT THE BAY IS MARKED ON THE ROAD BUT WILL NOT BE LEGAL AND THEREFORE CANNOT BE ENFORCED. A LEGAL TRAFFIC REGULATION ORDER TAKES BETWEEN 12 – 18 MONTHS TO INITIATE AND FOLLOWING THIS, A SIGN WILL BE ERECTED EITHER ON YOUR BOUNDARY WALL OR ON A POST OUTSIDE YOUR HOUSE AND THE BAY WILL BE LEGAL.**

**A DISABLED PERSONS PARKING BAY CAN BE USED BY ANY DISABLED PERSON DISPLAYING A CURRENT BLUE BADGE AND IS NOT FOR THE SOLE USE OF ANY PERSON OR VEHICLE.**

**DISABLED PERSONS PARKING BAYS CAN ONLY BE USED WHEN TRANSPORTING A DISABLED PERSON. MISUSE OF A DISABLED PERSONS PARKING BAY MAY LEAD TO THE ISSUE OF A PENALTY CHARGE NOTICE AND MAY ULTIMATELY LEAD TO THE REMOVAL OF THE DISABLED BAY.**

Kent County Council, as traffic authority, has the power to designate part of the highway as an on-street parking place and to control the type of vehicle and the terms and conditions of its use under the Road Traffic Regulation Act 1984, Section 32 and 35. (RTRA 1984) There are however, strict legal criteria that must be met in order to qualify for a disabled persons parking bay to be marked on the public highway.

Therefore, Sevenoaks District Council, acting on behalf of Kent County Council can provide parking bays on streets for disabled people. Under the legislation (RTRA 1984) these bays can only be provided for the purpose of relieving or preventing

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congestion and will only be considered for disabled people who have substantial difficulties in walking and parking in the vicinity of their property. It must be noted that these bays are provided under highway law and consideration is given to traffic management and highway conditions. Basic medical conditions of the applicant will be assessed according to the receipt of benefits but further medical conditions will not be taken into account.

Each case will be decided on its own merits by a highway engineer who must be satisfied that establishing a parking place is necessary for the purpose of relieving or preventing congestion of traffic and that the parking place is suitable for its intended use.

Examples of the questions that will need to be addressed in order for the Engineer to be satisfied that a bay is being provided to relieve or prevent congestion are:

- Will the transfer of a disabled person from a building to a vehicle or vice versa cause or contribute to congestion? If so will the provision of a disabled persons parking bay overcome this?
- Are there suitable off-street facilities available (e.g. garage, driveway)
- Is there an existing problem with the amount of on-street car parking nearby which regularly prevents convenient parking when required?
- Is the applicant readily able to walk to and from places where adequate car parking is available?
- Is the vehicle used to transport the disabled person normally kept at their home address and is it registered at this address? If the main driver of the vehicle does not reside at the property the bay will in most cases be refused.
- Is the vehicle in regular/frequent use?

All applicants must hold a current and valid blue badge. **(a photocopy showing number and issuing authority must be attached to each application)**

All applicants must be in receipt of the higher rate of disability living allowance the higher rate of attendance allowance or a similar war pension. **(a photocopy showing confirmation of allowance must be attached to each application and proof of benefits must show name and address)**

The applicant should be the registered disabled person. ***Any exception to this should be stated, in writing and attached to the application form.***

Following successful investigation of an initial application form It will be necessary for all successful applicants to prove that they have a persistent, significant and regular parking problem with parking a vehicle in their street. This will be accomplished by the completion of a parking study by the applicant.. Simultaneously, an audit of parking in your locality may be carried out by your local authority to ensure accuracy.

**Establishing a disabled parking bay on the Highway**

Before a bay can be established on the public highway, the conditions will be assessed to confirm that the bay is technically acceptable. Issues such as safety, width of carriageway, numbers of parked vehicles, proximity to a junction, number of other disabled bays and availability of off-street parking will all be taken into account.

Any neighbours who may be affected by the provision of a disabled bay will be informally consulted.

**Appendix**

If objections are received at this stage, the proposals may be reported to an authorised Council Committee who will make a decision and either overrule or uphold any objections. If the objections are upheld your application will proceed no further.

If there have been no informal objections or if the Committee decide to overrule the objections that may have been received, it will be necessary to make a Traffic Regulation Order (TRO) which is a legal process involving advertising in a local newspaper and a formal consultation to any affected parties. The TRO allows the disabled bay to be enforced and will help to prevent misuse of these bays. If formal objections are received at this stage it will be necessary to report to an authorised Council Committee for a further decision. You will be notified at every stage of these proceedings.

When a bay is established on the highway it will be assessed periodically using the previous criteria to ensure that the bay is still justified. If the bay is no longer required for the original use or the criteria are no longer being met it may be necessary to remove the bay.

**Charges for the installation of disabled parking bays**

The District Council cannot fund the introduction of disabled parking bays on the public Highway and may require the applicant to contribute to the cost of the physical works required. The maximum amount that you may be asked to contribute is £200. The payment of a contribution towards the installation costs does not infer any form of ownership of the disabled parking bay or parking priority

**If any circumstances change it will be the responsibility of the applicant or the driver of the registered vehicle to notify Sevenoaks District Council.**

**If you have any questions relating to the above information, please do not hesitate to contact the Parking & Amenity team at the above address.**



**CONFIDENTIAL**

**APPLICATION NUMBER:**

## APPLICATION FOR DISABLED PERSONS PARKING BAY

Please read the attached notes and conditions before completing this form.  
Complete parts 1 to 3 before returning this form to:

The Parking & Amenity team  
Sevenoaks District Council  
Argyle Road  
Sevenoaks  
Kent TN13 1HG

**TO BE COMPLETED IN BLOCK CAPITALS**

### PART ONE – PARTICULARS OF APPLICANT

Title	
Surname	
Forenames in full	
Date of Birth	
Address	
Post Code	
Telephone Number	
Blue Badge Number <b>(Enclose photocopy of current Blue Badge)</b>	
Blue Badge Expiry Date	
Blue Badge Issuing Authority	

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Is the Blue Badge issued to you?	Yes / No
<b>If no</b> who is it registered to and what is their relationship to you?	
Are you in receipt of Disability Living Allowance, Attendance Allowance or a similar war pension and for how long? <b>Enclose proof showing benefit received, name and address.</b>	Yes / No
If <b>yes</b> what component and rate?	
If you are not in receipt of the necessary benefits, it may be necessary for the Civil Enforcement Office to contact your GP for information regarding your level of mobility. Please provide details:	GP Name:  GPAddress:

### PART TWO – PARTICULARS OF VEHICLE

Are you the registered keeper? <b>(Please include a copy of the vehicle registration document or motability agreement)</b>	Yes / No
Are you the main driver of the vehicle? You must be the driver of the vehicle more than 70% of the time to be considered the main driver. <b>(Please include a copy of your vehicle insurance document)</b>	Yes / No
If no, please provide details of the main driver of the vehicle  <b>Please enclose proof of residence e.g. Utility bill</b>	Name:  Address:   Relationship to applicant:
Do you have facilities for off-street parking? i.e. Do you own, rent or have use of a garage, hard standing etc. (shared or individual)	Yes / No

## Agenda Item 6

Where is the vehicle usually kept?	
Do you experience frequent problems parking within walking distance of your property?	Yes/No

### PART THREE - TO BE COMPLETED BY ALL APPLICANTS

1. I declare that all the information I have given in this application is correct.
2. I have enclosed all copies of documentation as required:
  - Blue Badge (including number and photograph)
  - Copy of Vehicle Registration Document or Motability agreement
  - Insurance Certificate
  - UK driving licence
  - Proof of receipt of benefits
3. I acknowledge that any Blue Badge holder can use the bay.
4. I agree, where possible, to have a sign plate notifying the use of the space attached to or mounted on my property.
5. I understand that it may be necessary for the Civil Enforcement Office to contact my GP for further details and I therefore give my permission.
6. I understand that the bay will be regularly reviewed and removed if I no longer meet the required criteria. If my circumstances alter, I will notify you immediately.
7. I agree to my information being used as explained below.
8. I have read and understood the attached notes.

The information you provide will be processed by Sevenoaks District Council in connection with the Disabled Persons Parking Bay Scheme. Your information will be disclosed to partners acting on the Council's behalf in the administration of the scheme, your address details may be disclosed as part of the local consultation process.

<i>Signature:</i>	<i>Date:</i>
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**This application should now be returned to Sevenoaks District Council**

**Environment Select Committee Work Plan 2011/12**

<b>Topic</b>	<b>7 June 2011</b>	<b>6 September 2011</b>	<b>25 October 2011</b>	<b>17 January 2012</b>	<b>20 March 2012</b>
<b>Planning Policy</b> (Alan Dyer)					
<b>Development Control</b> (Jim Kehoe)		Conservation Area Appraisals - Edenbridge  Conservation Area Appraisals - Brittain's Farm  Conservation Area Appraisals - Chipstead			
<b>Building Control</b> (Richard Wilson)					
<b>Street Scene &amp; Air Quality</b> (Richard Wilson)	KCC Winter Maintenance				
<b>Transport (including parking)</b>	Policy for On-Street Disabled Parking Bays				

Topic	7 June 2011	6 September 2011	25 October 2011	17 January 2012	20 March 2012
(Richard Wilson)					
<b>Economic Development and Tourism</b> (Lesley Bowles)		Business Support			
<b>Budget</b> (Tricia Marshall)					
<b>Other</b>					

**Possible items to be considered in the future** (for items not yet timetabled in):

- Conservation Area Appraisals and Management Plans (Ad hoc items)
- Aviation issues affecting the District
- Sustainability of supply of energy sources (including renewable energy)
- The current economic situation, to include a review of the District's current commercial centres and an assessment of future prospects.
- Local Listing Update