



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 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.

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 (Enclose photocopy of current Blue Badge)	
Blue Badge Expiry Date	
Blue Badge Issuing Authority	

Is the Blue Badge issued to you?	Yes / No
If no 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? Enclose proof showing benefit received, name and address.	Yes / No
If yes 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? (Please include a copy of the vehicle registration document or motability agreement)	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. (Please include a copy of your vehicle insurance document)	Yes / No
If no, please provide details of the main driver of the vehicle Please enclose proof of residence e.g. Utility bill	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

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>

This application should now be returned to Sevenoaks District Council