Surbiton Neighbourhood Committee
7 November 2019
Objections to Disabled Parking bays School Lane and Rose Walk
Report by Assistant Director, Transport and Highways

Purpose
To consider objections to a Traffic Management Order (TMO), which included proposals for new disabled bays in School Lane and Rose Walk, Surbiton, as shown in the plans at Annexes 1 and 2.

Recommendations
To Resolve that:
1. the comments and objections received as set out in paragraph 5,6 and 8, and officer’s comments as set out in paragraphs 7 & 9 are noted; and
2. the objections received are set aside, the Traffic Management Order for the introduction of new disabled bays in School Lane and Rose Walk, Surbiton is implemented; and the objectors are informed of the Committee’s decision.

Key Points
A. A Traffic Management Order (TMO) to introduce new disabled bays in School Lane outside 26 - 32 (see Annex 1 attached to this report) and in Rose Walk outside 239/241 Surbiton Hill Park (see Annex 2 attached to this report), Surbiton was published in February 2019. During the statutory consultation period three objections were received, two on the Rose Walk application and one on the School Lane application.
B. The report outlines the objections received, with the recommendation that those objections are set aside for the reasons given in the report.

Context
1. The two application sites in School Lane and Rose Walk were processed as part of the latest batch of disabled bays sites in the recent TMO.
2. Prior to the advertisement, both sites were assessed and approved by the officer to proceed. The TMO was published in the Surrey Comet and street notices placed on lamp columns on these roads. They are both ‘origin’ disabled bays where the application has been received from a resident that officers agree meets the eligibility criteria.
3. Three objections were received - two in relation to Rose Walk, and one in relation to School Lane, Surbiton.
4. It is noted that the borough has Public Sector Equality Duty under the Equalities Act to act so that disabled people are not disadvantaged.
Comments and Objections Received

Rose Walk TMO

5. Two objections were received in relation to the Rose Walk TMO as follows: “Rose Walk is a small narrow cul de sac and has limited street parking due to a high number of drop curbs. Despite the availability of off-street parking, it would be fair to say that many households still have one car that owners would like to park in the street. There are a few homes that have between 2 and 4 cars that they wish to park on the street. Rose Walk also suffers from commuter parking. The residence, who I believe has applied for this permission does not live in Rose Walk but in Surbiton Hill Park. The occupiers choose to use the back entrance of their home exiting in Rose Walk. The home has a drop kerb accessing their garage which the occupiers have chosen not to use by fencing it off.

6. It would make sense if access to their garage was reinstated ie rearranging the fencing, thereby enabling the use of the drop kerb to park on their property. Alternatively apply for a disabled parking space in Surbiton Hill Park, where the road is wider making their vehicles easier to access. Talking with neighbours, it is felt that this permission is being requested for “ease of parking/ to ensure parking availability”. It would be much fairer for all to keep the parking within Rose Walk on a first-come-first-served basis. trust that you will take into consideration my comments”.

Officer’s response:

7. With regard to the objections received from Rose Walk, we are aware of the points raised by objectors. However, the Council cannot force the applicant to remove the brick wall, which has been in place since 2014. It was officers who suggested Surbiton Hill Park was not an appropriate site, where there are double yellow lines and a bus route. It was considered that Rose Walk was the correct site. Giving due consideration to the Council’s duties under the Equality Act, it is recommended that the bay should be installed.

School Lane TMO

8. One objection was received in relation to the School Lane TMO as follows: “I have been informed that nothing has been agreed for the disabled bay, I would like to contest to the bay being put in between 26-32 school lane toworth Surrey. We have a bay that is outside 2-8 which is never used, I am unsure who requested the bay to be put in if it is a resident within that block, they drive 2 vehicles and are mobile, they work and the vehicles are used for the job they do. Parking on the school lane is very restricted as it is, I and other residents feel that it would be a waste of a parking space as 1 of the vehicles of the resident will be permanently there, whilst the other car is being driven”.

Officer’s response:

9. Regarding the objection received on School Lane, we are aware of the existing disabled bay on School Lane and can advise that the draft Traffic Management Order has been published of being removed. However, this bay is about 50m from the new application, hence it is too far away for the current applicant to use it. Furthermore, giving due consideration to the Council’s duties under the Equality Act, it is recommended that the bay should be installed.
10. Having considered the objections and the Council’s responsibilities, Members are asked to note the Officer responses above and set them aside in order for the TMO to be made.

**Timescale**

11. If the Committee sets aside the objection, the works to implement the scheme will be completed this financial year.

**Resource Implications**

12. The scheme is estimated to cost £2,000, and it will be met out from the existing parking budget.

**Legal Implications**

13. The Statutory Consultation process has been followed, and the objection raised is referred to the Neighbourhood to consider, as per the council’s constitution, before deciding on the way forward.

**Risk Assessment**

14. The scheme should improve the quality of life for disabled users and reduce the risk of accidents to the benefit of the whole community. It also allows the borough to meet its duties under the Equality Act.

**Equalities Impact Assessment**

15. There is an overarching EQIA in place that covers transport Local Implementation Plan (LIP) schemes and as such individual assessments are not required.

**Network Implications**

16. There are no network implications associated with the proposed scheme.

**Sustainability Implications including Air Quality**

17. No environmental or air quality implications are expected at this stage.

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**Background papers** held by author, Younes Hamade, Senior Professional Traffic Engineer, tel 020 8547 5922 email: younes.hamade@kingston.gov.uk:

- Copy of TMO (Traffic Management Order);
- Copy of the consultation letter;
- Copy of the comments received;
- Copy of the objections received.