

The background of the slide features the Falkirk Council Coat of Arms. It is a shield divided vertically. The left half shows a ship on wavy water. The right half shows a stag's head with antlers. Above the shield is a crown with four floral motifs. Below the shield is a ribbon with the motto 'A'NE FOR A'.

Agenda Item 12

**THE FALKIRK COUNCIL (ON-STREET
PARKING SPACE FOR DISABLED
PERSONS)(No TRO/DB/19/023) ORDER
20__ – STRACHAN STREET, FALKIRK**

FALKIRK COUNCIL

Subject: THE FALKIRK COUNCIL (ON-STREET PARKING SPACE FOR DISABLED PERSONS)(No TRO/DB/19/023) ORDER 20__ – STRACHAN STREET, FALKIRK
Meeting: PLANNING COMMITTEE
Date: 20 May 2020
Author: DIRECTOR OF DEVELOPMENT SERVICES

Ward: Falkirk South (Ward 7)

**Local Members: Councillor Lorna Binnie
Councillor John Patrick
Councillor Pat Reid**

Community Council: Tamfourhill Community Council

Council Officer: Russell Steedman – Network Co-ordinator

1. INTRODUCTION

- 1.1 This report seeks a decision on The Falkirk Council (On-Street Parking Space for Disabled Persons)(No TRO/DB/19/023) Order 20__, the purpose of which is to reserve a parking space on Strachan Street. Falkirk for disabled persons. In terms of the Council's Scheme of Delegation, this decision requires to be made by Committee as unresolved objections have been received to the making of the Order as detailed in the report submitted to the Planning Committee on 23 January 2020. In terms of the relevant legislation, the authority requires to consider all objections made and not withdrawn before making the Order.
- 1.2 Members should be aware that it is available to them to call for a hearing on the Order should they find themselves unable to determine whether the Order should be made or not at this stage. Such a hearing would be conducted by an independent reporter appointed by the Council from a list of persons compiled by the Scottish Ministers for that purpose. Members would then need to consider their report and recommendation before making a determination.

2. BACKGROUND

- 2.1 Falkirk Council currently provides on-street parking spaces in residential areas, enforceable by virtue of a traffic regulation order, for people with a disability who are in receipt of a Blue Badge and who meet the criteria as laid down in the Disabled Persons' Parking Place (Scotland) Act 2009 (the 2009 Act).

- 2.2 It should be noted that, although a disabled parking place is marked as a result of an application by an individual, any person who legally displays a Blue Badge on their vehicle may park in the bay.
- 2.3 On receipt of an application for a disabled bay, the 2009 Act requires Falkirk Council to decide whether it is possible to identify a suitable street parking place from which there is convenient access to the applicant's address. An assessment identified that the applicant's vehicle was generally parked outside the front of their property on Strachan Street, Falkirk. In terms of road safety or traffic congestion, there are no issues which would prevent a disabled bay being provided in this area of carriageway. There is no significant inconvenience to other drivers caused by the proposed introduction of this space as illustrated in the plan no. TRO/DB/19/023/1.
- 2.4 The applicant was sent a plan showing the disabled bay in the same location their vehicle was observed during initial site surveys. This location is described in paragraph 2.3 and shown on the attached drawing numbered TRO/DB/19/023/001 as described in the Committee Report submitted on the 23 January 2020.
- 2.5 The matter was not determined on the 23 January 2020 and it was agreed by the Committee to continue consideration of the application for further information from officers including the outcome of survey work being conducted by the Director of Development Services. The location of all the disabled persons' parking places within Strachan Street are indicated on TRO/DB/19/023/4. The results of the original survey and the subsequent survey after 23 January 2020 are shown in table 1.

3. PROPOSAL

- 3.1 Following the necessary checks against the criteria laid down in the 2009 Act, the statutory procedure for promoting a traffic regulation order was initiated.
- 3.2 In accordance with Local Authorities Traffic Orders (Procedure) (Scotland) Regulations, 1999, notices of intention were posted on-street and in the local press in the prescribed manner on 06 June 2019.

4. CONCLUSION

- 4.1 The 2009 Act requires local authorities to consider road safety and congestion as part of the application process. The proposed location is considered satisfactory bearing in mind these considerations.
- 4.2 The applicant for whom this Order was promoted meets the current assessment criteria for obtaining a disabled person's parking space in accordance with the 2009 Act.

5. RECOMMENDATION

- 5.1 Members are asked to consider the terms of the report including the objections and determine whether the Order should be made.**

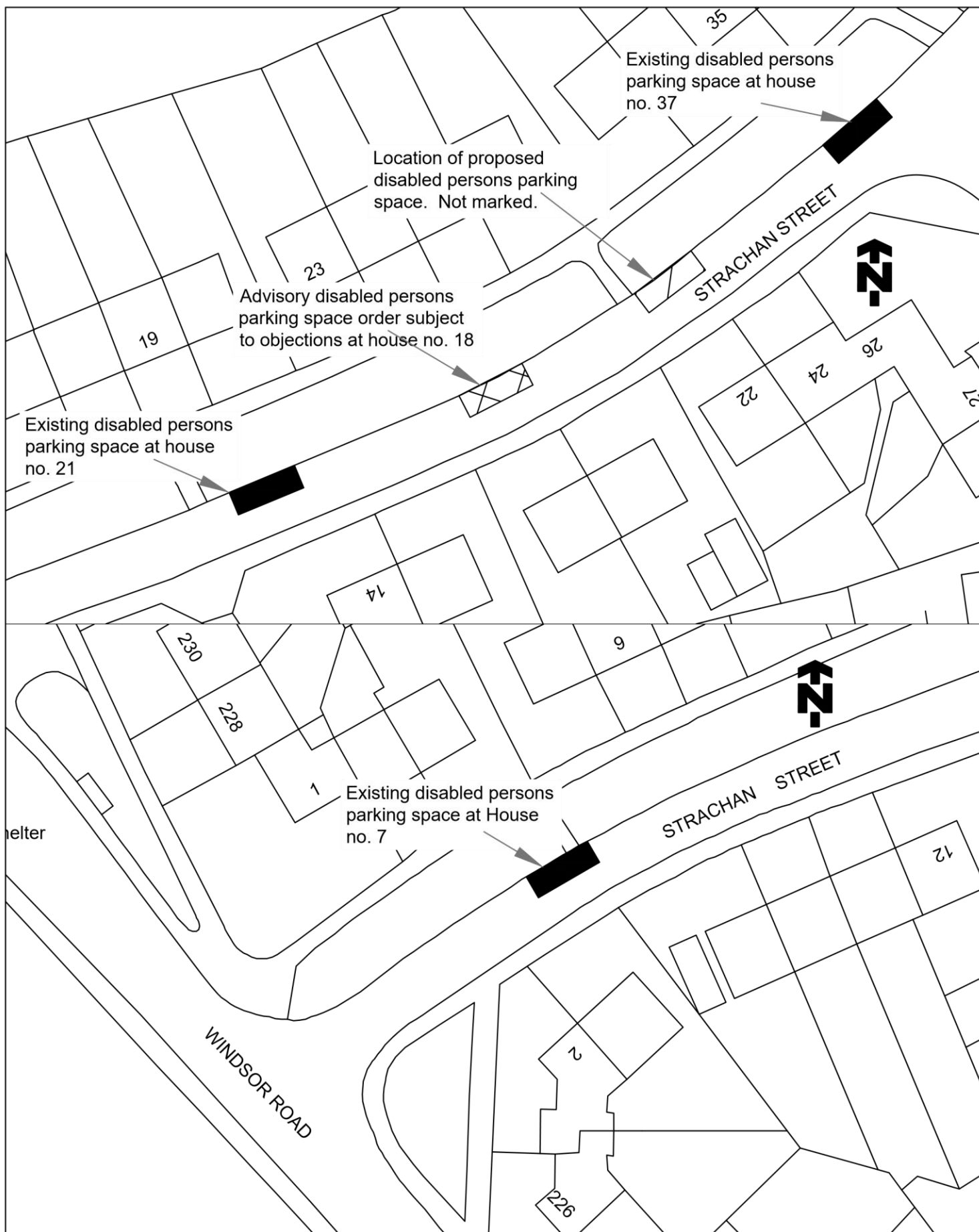
.....
Director of Development Services
Date: 13 May 2020

Contact Officer: Russell Steedman, Network Co-ordinator Tel: 504830
Email: russell.steedman@falkirk.gov.uk

LIST OF BACKGROUND PAPERS

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

1. The Falkirk Council (On-Street Parking Space for Disabled Persons)(No TRO/DB/19/023) Order 20__
- 2.



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TITLE OF ORDER

THE FALKIRK COUNCIL (ON-STREET PARKING SPACE FOR
 DISABLED PERSONS) (NO TRO/DB/19/023) ORDER 2019



Falkirk Council
 Development Services (Roads)
 Engineering Design
 Abbotsford House, David's Loan
 Falkirk FK2 7YZ
 Tel: 01324 504950 Fax: 01324 504850
 Director: Rhona Geisler

LOCATION OF SPACES

SCALE 1:500@A4	DRAWN GJ DATE 17/03/20	CHECKED DG DATE ??/??/??	APPROVED RS DATE ??/??/??
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DRAWING NO.

TRO/DB/19/023/4



APPENDIX A

OBJECTIONS (ANONYMISED) AND DEVELOPMENT SERVICES RESPONSES

SURVEY RESULTS AS REQUESTED BY COMMITTEE

Table 1

Date/time	Location	Car type	Status on site
30/01/20 15:00	House no.7	Jaguar XF	In bay displaying blue badge
31/02/20 14:20	House no.7	Jaguar XF	In bay displaying blue badge
04/02/20 15:03	House no.7	Jaguar XF	Space empty
05/02/20 14:45	House no.7	Jaguar XF	In bay displaying blue badge
06/02/20 14:45	House no.7	Jaguar XF	Space empty
07/02/20 14:16	House no.7	Jaguar XF	Space empty
07/02/20 19:10	House no.7	Jaguar XF	In bay displaying blue badge
09/02/20 18:50	House no.7	Jaguar XF	In bay displaying blue badge
12/02/20 20:05	House no.7	Jaguar XF	In bay displaying blue badge
14/02/20 20:55	House no.7	Jaguar XF	In bay displaying blue badge
18/02/20 20:00	House no.7	Jaguar XF	In bay displaying blue badge
21/02/20 21:25	House no.7	Jaguar XF	In bay displaying blue badge
25/02/20 21:05	House no.7	Jaguar XF	In bay displaying blue badge
03/03/20 19:00	House no.7	Jaguar XF	In bay displaying blue badge

30/01/20 15:00	House no.21	Vauxhall Astra	In bay displaying blue badge
31/01/20 14:20	House no.21	Vauxhall Astra	Space empty
04/02/20 15:03	House no. 21	Vauxhall Astra	Space empty
05/02/20 14:45	House no. 21	Vauxhall Astra	In bay displaying blue badge
06/02/20 14:45	House no. 21	Vauxhall Astra	Space empty
07/02/20 14:16	House no. 21	Vauxhall Astra	Space empty
07/02/20 19:10	House no.21	Vauxhall Astra	In bay displaying blue badge
09/02/20 18:50	House no.21	Vauxhall Astra	In bay displaying blue badge
12/02/20 20:05	House no.21	Vauxhall Astra	In bay displaying blue badge
14/02/20 20:55	House no.21	Vauxhall Astra	In bay displaying blue badge
18/02/20 20:00	House no.21	Vauxhall Astra	In bay displaying blue badge
21/02/20 21:25	House no.21	Vauxhall Astra	In bay displaying blue badge
25/02/20 21:05	House no.21	Vauxhall Astra	In bay displaying blue badge
03/03/20 19:00	House no.21	Vauxhall Astra	In bay displaying blue badge
30/01/20 15:00	House no. 37	Audi A6	Space empty
31/01/20 14:20	House no. 37	Audi A6	Space empty

04/02/20 15:03	House no.37	Audi A6	In bay no badge displayed
05/02/20 14:45	House no.37	Audi A6	In bay no badge displayed
06/02/20 14:45	House no.37	Audi A6	Space empty
07/02/20 14:16	House no.37	Audi A6	Space empty
07/02/20 19:10	House no.37	Audi A6	Space empty
09/02/20 18:50	House no.37	Audi A6	Space empty
12/02/20 20:05	House no.37	Audi A6	In bay displaying blue badge
14/02/20 20:55	House no.37	Audi A6	In bay displaying blue badge
18/02/20 20:00	House no.37	Audi A6	In bay displaying blue badge
21/02/20 21:25	House no.37	Audi A6	In bay displaying blue badge
25/02/20 21:05	House no.37	Audi A6	Space empty
03/03/20 19:00	House no.37	Audi A6	In bay displaying blue badge
30/01/20 15:00	House no.18	MG ZS	In bay no badge displayed
31/01/20 14:20	House no.18	MG ZS	In bay no badge displayed
04/02/20 15:03	House no.18	MG ZS	Space empty
05/02/20 14:45	House no.18	MG ZS	Space empty

06/02/20 14:45	House no. 18	MG ZS	In bay no badge displayed
07/02/20 14:16	House no. 18	MG ZS	In bay no badge displayed
07/02/20 19:10	House no.18	MG ZS	Space empty
09/02/20 18:50	House no.18	MG ZS	Space empty
12/02/20 20:05	House no.18	MG ZS	In bay displaying blue badge
14/02/20 20:55	House no.18	MG ZS	In bay displaying blue badge
18/02/20 20:00	House no.18	MG ZS	In bay displaying blue badge
21/02/20 21:25	House no.18	MG ZS	In bay displaying blue badge
25/02/20 21:05	House no.18	MG ZS	Space empty
03/03/20 19:00	House no.18	MG ZS	In bay displaying blue badge