

Reasons given to Freeholder / Freeholder's Agent in May 2009 for not relocating / removing the Disabled Parking Bay

1. The council is obviously keen to encourage business and to convert empty properties into thriving concerns. However, we believe that an important element of New Road is its mix of services. On a macro level, across the city, a mix of services is often a vital element for the long-term economic viability of locations. For example, a street that relies only on eating establishments can suffer if these establishments close or relocate as the lack of other services/businesses leaves little else to promote visitors to the street and thus re-invigorate the location.
2. A change of use for any premises is no guarantee that outside space will be made available, where that space is public highway. Traders using the public highway do so at the discretion and permission of the Highway Authority, and many factors are taken into account before the granting of a licence. In the case of New Road, existing businesses were fully consulted during the design process, and where possible, outside café/display space was incorporated into the final layout. However, even at this time, the needs of other highway users and the overall vision for the street were taken into account. So, for example, some areas of New Road are set aside for public seating, bicycle stands or parking bays and these were placed there despite limiting the outdoor space available to businesses adjacent to these areas of the public highway.
3. There were several disabled bays in New Road prior to its redesign, and the council considered it vitally important to re-instate a number of such bays within the new design. This is to ensure that people with disabilities have access to the many services in and around New Road. The bays are constructed in granite, in keeping with the rest of New Road's construction and have now been in place for a couple of years, so are well established and well known to disabled drivers. There is no compelling reason to move the bays in order to accommodate additional café placements. In fact, recently the council has come under scrutiny from groups representing disabled people, who object to the amount of public highway given over to traders' placements and the associated increase in "street clutter."
4. New Road has to accommodate implicit loading bays – i.e. places where it is sensible for delivery vans and lorries to pull in and unload without blocking the thoroughfare. The suggested location for a disabled bay is one such loading area, and we feel it is important to retain this facility.
5. Over the years, we have had numerous requests to change the design or layout of roads to accommodate table and chair placements. However, the Highway Enforcement team works with what is available space; it does not seek to alter or create additional space unless this is incorporate into any new design. Even with new designs, café placements are not permitted to take up all the increased space, as it is important to allow enough access to accommodate increased footfall/areas where the public can move freely. If we are to move a disabled bay to create outdoor space for one premises, we would be setting a precedent for other businesses, and we are not prepared to constantly alter or remark the public highway for this purpose. For example, if other premises in New Road changed their use, we would be under pressure to accommodate their requests for outdoor space in a similar manner and would end up with less room for any other provision, such as disabled bays and loading areas. We have in fact recently turned down two other requests in New

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Road to move street furniture because we feel it is important that the public highway serves a variety of functions, not just as a vehicle for increased trader placements.

6. We have concerns over moving one bay to become stand alone, as it would be difficult to see this in the granite surfacing, and there are potential hazards to users of placing a disabled bay between existing licensed areas directly beside that area.
7. Because the bays are constructed and marked out with granite, any removal/re-instatement would be very difficult. The disabled markings would have to be removed in order to accord with the Traffic Order but we are unlikely to be able to exactly match the re-instatement to the existing surface. We would then have to remark a bay in granite at a new location, with all the associated lifting of slabs, matching of materials, relaying and making good any damage. Again, there is no compelling reason for the Highway Authority to risk the aesthetics and agreed design of New Road to do this.