# MOTION TO COUNCIL

21 November 2017

<table>
<thead>
<tr>
<th>Title of Motion</th>
<th>Disabled Parking Equality</th>
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<tbody>
<tr>
<td>Proposer</td>
<td>Richard Pears CC</td>
</tr>
<tr>
<td>Seconder</td>
<td>James Mustoe CC</td>
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</tbody>
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| Supporters (a minimum of three are required) | Armand Toms CC  
|                 | Gemma Massey CC           |
|                 | Jordan Rowse CC           |
| Recommendation for Council to vote on | “That Cornwall Council urgently reviews its policy of charging disabled people £3,000 to have a disabled space installed near to their accommodation. This is to fall in line with other authorities around the country, who charge either a notional payment to the applicant, or nothing at all.” |

## Context for the motion (i.e. why is the motion being submitted – what is the proposer aiming to achieve)

### Background to motion:

If someone in your household is disabled and had a blue badge you can apply to have a disabled parking bay marked outside your home. Having a disabled parking bay outside your home doesn't guarantee that space for you or the disabled person in your household.

You can apply for a disabled parking space (disabled bay road marking) outside your house provided you meet the following conditions:

- You or someone in your household is disabled and has a valid blue badge
- The person in your house who is disabled has regular use of a vehicle (as either driver or passenger), which is kept at the address on the application
- There’s increasing difficulty in finding a parking space close to the property, eg a space isn’t available more often than one is available
- There is no off-street parking available
- The parking outside the property isn’t currently prohibited
- There’s enough space for a parking bay
- The parking bay doesn’t cause a hazard to other road users
- If the parking bay will overlap the front of a neighbouring property,
the resident of that property will be consulted

A disabled bay road marking may be ‘advisory’ or ‘mandatory’.

An advisory disabled bay road marking is not enforceable

No action can be taken by the police or the council if a non-disabled person or indeed another disabled person parks in the disabled bay

A mandatory disabled bay road marking is enforceable by law

The council can take action against anyone parking in the disabled bay without displaying a blue badge

The provision of a disabled bay road marking, and the type of bay, will depend on existing parking restrictions outside the property.

The amounts that local authorities charge or choose not to charge vary across the country.

For example:

Leicestershire County Council (Con) charge £100

Devon County Council (Con) don’t appear to charge anything
https://new.devon.gov.uk/roadsandtransport/make-a-request/disabled-parking-bay/

Plymouth City Council (Con) charges £40
https://www.plymouth.gov.uk/parkingandtravel/disabledparking/disableddriversparkingbay

Cumbria County Council (Lib Dem/Lab) don’t appear to charge anything
https://www.cumbria.gov.uk/roads-transport/parking/disabledparking.asp

Most councils choose to keep the costs of applying for and implementing a disabled residential space low because they do not want to pass on the costs to the driver who is having to use it through no fault of their own.

However in Cornwall, the price for putting in a residential disabled space seems to be set at £3,000.
Cornwall Council will not even look at requests for residential disabled parking spaces unless the funding is costed. 

We believe this is discriminatory against disabled drivers and wish Cornwall Council to review this policy, with the aim of changing it to fall in line with other councils across the UK.

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<th>Does the motion*:-</th>
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<td>(i) have potential financial implications for the Council – if so advise what these might be</td>
<td>Yes - stopping penalising disabled people by charging them the full amount to get a residential (non-guaranteed) disabled parking space will mean Cornwall Council will have to pay all or most of the charge, instead of the disabled person.</td>
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<td>(ii) have potential legal/financial implications for the Council – if so advise what these might be</td>
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<td>(iii) require further background information to enable the Council to make a decision and/or require detailed consideration – if so advised what might be required</td>
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*Should any/all of (i)-(iii) apply it is likely that the constitutional provision of referring the motion to the relevant Committee will apply.