

## **APPLICATION FOR DISABLED PERSON'S PARKING BAY**

**Please read these notes before you fill in the application form, as they will give you important information concerning the application process. If you require this information in any other format, please notify Technical Services**

1. Kent County Council, as traffic authority, has the power to designate part of the highway as an on-street parking place and control the type of vehicle and the terms and conditions of its use under the Road Traffic Regulation Act 1984, Sections 32 and 35.
2. Therefore, Swale Borough Council, acting on behalf of Kent County Council can provide special parking bays on streets for disabled people who have substantial difficulties in walking and parking in the vicinity of their property. Applicants should have a current and valid blue badge (**photocopy showing number and issuing authority should be attached to this application**) and receive higher rate disability living allowance (**photocopy showing confirmation of allowance should also be attached**) or a similar alternative benefit along with photocopy of vehicular registration documents.
3. The applicant should be the driver of the vehicle needing a space, however;

***Any exception to this should be stated in writing and accompany this application.***

**All exceptions will be referred to the Seafront & Engineering Manager or his representative for consideration and recommendation.**

**PLEASE NOTE: THIS BAY MAY ONLY BE PARKED IN WHEN TRANSPORTING A REGISTERED DISABLED PERSON/S. MISUSE OF THE BAY COULD LEAD TO A FIXED PENALTY NOTICE BEING ISSUED AND THE REMOVAL OF THE BAY.**

4. Before a bay is granted, checks are made to confirm that it is justified:
  - You must have a current and valid blue badge and you should receive the higher rate of mobility component of the Disability Living Allowance or an equivalent benefit.

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| <b>NB: Acceptable proof of benefits must show your name and address.</b> |
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***Any exceptions to these circumstances should be stated, in writing and accompany this form.***

- The highway conditions will be assessed by an Engineer to establish whether or not a bay can be technically provided (issues such as safety, width of carriageway, number of vehicles using or parking in the road, proximity to a junction, the number of other disabled parking bays in the vicinity and the availability of off-street parking will be taken into account.)
  - Adjoining and opposite neighbours and emergency services will be informally consulted.
5. If objections are received at this stage, the proposals may be put before an authorised Council Committee. The Committee will make a decision on the provision and either overrule any objections or uphold. You will be notified of the Committee decision. If the objections are upheld, your application will proceed no further. If the Committee decide to overrule the objections, the procedure will commence. This may involve a legal procedure, which includes advertisements in a local newspaper, and a formal consultation to relevant parties. If objections are received at this stage, it will be necessary to report to an authorised Council Committee for a decision on whether to uphold the objections or override them and allow the bay to be introduced. You will be notified at every stage.

6. **It must be noted that you will not have exclusive rights to the bay – anyone with a blue badge is legally entitled to park within it.**
7. There is currently no fee for disabled person's parking bays.
8. Once installed, the bay will be advisory and will only become enforceable if added to a Traffic Regulation Order (TRO). Bays can be added to a TRO if there becomes a regular problem with non-blue badge holders using the bay. The TRO process can take 9 – 12 months and will require a sign to be installed at the bay location. The bay will be assessed periodically using the Kent County Council criteria, to make sure that it is still justified. **If the bay is no longer justified, it may be removed.**
9. **If any circumstances change at any time, please notify Technical Services who will arrange for a review if needed.**

**If you are unsure of any information or if you have any queries, please do not hesitate to call our Customer Service Centre on 01795 417850 and ask for Technical Services or email [engineers@swale.gov.uk](mailto:engineers@swale.gov.uk)**