

**Wiltshire Council**

**Council**

**8 November 2011**

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## **Petitions Update**

### **Statement from Mrs Helen Farmer - Objection to removal of Disabled parking Bays – Guildhall and Market Place Salisbury**

On the 31<sup>st</sup> October, Mrs Rushby and I presented a petition to Wiltshire Council of around 1500 signatures, supporting our assertion that “The removal of 53 general access parking spaces, and 8 Blue Badge parking spaces from the Market & Guildhall Squares, and provision of just 9 Blue Badge spaces, would indirectly discriminate against disabled people. Both those with Blue Badges, for whom parking options within the city centre would be significantly reduced; and those disabled people without a Blue Badge, for whom it would be removed entirely”.

This was in fact our second petition; the first, of a similar number having been submitted to South Wiltshire planning department, as an objection to Salisbury Visions original planning application in May.

Both petitions were signed by disabled and able bodied citizens of Salisbury and its surrounds, and all but a handful of the Salisbury Market traders. All are very concerned at the removal of this car parking and particularly at the suggestion that parking provision for disabled people could be provided in roadside locations.

The vast majority of those who signed this second petition had not signed the first.

Since December 2006, All public sector organisations have been bound by the **Disability Equality Duty**, according the the Equality and Human rights commission this means that they must show ‘due regard’ to the need to:

- promote equality of opportunity between disabled persons and other persons
- eliminate discrimination that is unlawful under the Act
- eliminate harassment of disabled persons that is related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in public life; and
- take steps to take account of disabled persons’ disabilities, even where that involves treating disabled persons more favourably than other persons (e.g. the provision of an accessible parking bay near a building, where parking is not available for other visitors or employees.)

Not all disabled people have Blue Badges, only those assessed as having 'severe' mobility disabilities. Obligations towards disabled people do not apply just to Blue Badge holders, but to any person who has "a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities". Walking, from alternative car parks to the shops, banks, post office or library in Salisbury is a normal day-to-day activity.

Members are no doubt aware of obligations under **Disability Discrimination Act**, and that this was superseded by the **Equality Act 2010**, which brought all equality strands together and harmonised protection afforded to different groups. This introduced the concept of 'indirect discrimination' in relation to disability, "where a rule, policy or practice has a disproportionate effect on one particular protected group".

**Wiltshire Councils Parking strategy** contains the commitment to ensuring that disabled parking provision meets the minimum national standards, outlined in the document **Traffic Advisory Leaflet 5/95**, this states "Parking bays for disabled people should be designed so that drivers and passengers, either of whom maybe disabled, can get in and out of the car easily and safely. Bays should be longer and wider than normal. They ensure easy access from the side and the rear for those with wheelchairs, and protect disabled people from moving traffic when they cannot get in or out of their car on the footway side of a bay on the highway".

Placing Blue Badge spaces on the side of one way streets in Salisbury would not achieve this. The document also indicates that parking should be provided within 50 metres of essential services, which the current Market Place car park provides, there is nowhere else in Salisbury where this could be achieved.

**The Wiltshire & Swindon Structure Plan 2016** states;

#### Priorities for Sustainable Development

DP1 IN PURSUIT OF SUSTAINABLE DEVELOPMENT, PARTICULAR PRIORITY SHOULD BE GIVEN TO:

1. MEETING LOCAL NEEDS FOR JOBS, SERVICES AND AFFORDABLE AND SPECIAL NEEDS HOUSING IN ALL SETTLEMENTS
2. MEETING THE NEEDS OF PEOPLE WITH DISABILITIES
3. ACHIEVING A PATTERN OF LAND-USES AND ASSOCIATED TRANSPORT LINKS WHICH MINIMISE THE NEED TO TRAVEL AND SUPPORT THE INCREASED USE OF PUBLIC TRANSPORT, CYCLING AND WALKING
4. MAXIMISING THE POTENTIAL FOR ENERGY CONSERVATION AND ACCOMMODATING PROPOSALS FOR RENEWABLE ENERGY
5. IMPROVING THE AMENITY OF SETTLEMENTS

## 6. MINIMISING THE LOSS OF COUNTRYSIDE AND PROTECTING AND ENHANCING THE PLAN AREA'S ENVIRONMENTAL ASSETS.

This clearly indicates that the needs of disabled people must be given higher priority than the need to support the increased use of public transport, cycling and walking.

All local planning policy documents refer repeatedly to "sustainable development".

**The Salisbury Local plan**, states that the first of its aims is "To promote the principles and practice of sustainable development", and its parking guidelines state "Parking for disabled people should be additional to the maximum parking standards. Development proposals should provide adequate parking for disabled motorists, in terms of numbers and design (see Traffic Advice Leaflet 5/95, Parking for Disabled People".

**Wiltshire Core Strategy**, states that "Wiltshire Core Strategy aims to deliver sustainable development". The transport addendum to this document states that: "As part of a required transport assessment, the following must be demonstrated: That consideration has been given to the needs of all transport users (where relevant) according to the following hierarchy:  
visually impaired and other disabled people  
pedestrians  
cyclists  
public transport  
goods vehicles  
powered two-wheelers  
private cars"

I would respectfully ask that Wiltshire Council ensures that it properly considers the effect upon ALL disabled people of any plans for the Salisbury Market Place.