

ITEM No ...10.....

REPORT TO: CITY DEVELOPMENT COMMITTEE – 26 JUNE 2017
REPORT ON: DISABLED PERSONS' PARKING PLACES (ANNUAL REPORT 2016-2017)
REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT
REPORT NO: 160-2017

1 PURPOSE OF REPORT

- 1.1 The report considers the requirement to keep Elected Members informed of the changes to the provision of Disabled Persons' Parking Places within Dundee.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee note the information contained within this report as it will be sent to Transport Scotland for data analysis and processing. This is a legal requirement and will be reported annually both to Transport Scotland and Elected Members.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications as a result of this report. All costs relating to Disabled Persons' Parking Places will be outlined within separate reports which will be requesting permission to vary the existing on and off- street Traffic Regulation Orders for Dundee.

4 BACKGROUND

- 4.1 The information contained within this report is for the reporting period covering the last financial year (April 2016 - March 2017).
- 4.2 In the last financial year, Dundee City Council removed 44 disabled on-street parking bays as they were no longer required and added 94 new disabled on-street parking bays. These 94 on-street disabled parking bays are still advisory bays and cannot be enforced until the associated Traffic Regulation Order has been updated.
- 4.3 The Scottish Parliament Local Governments and Communities Committee had asked for written views on the workings of the Disabled Persons' Parking Places (Scotland) Act 2009 as part of its post legislative scrutiny since receiving Royal Assent on 1 April 2009. A copy of the written submission sent to Scottish Parliament is detailed in Appendix 1.

5 POLICY IMPLICATIONS

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

6 CONSULTATIONS

- 6.1 All members of the Council Management Team have been consulted and are in agreement with the contents of this report.

7 BACKGROUND PAPERS

7.1 There are no background papers of relevance to this report.

Mike Galloway
Executive Director of City Development

Neil Gellatly
Head of Roads and Transportation

APPENDIX 1

This is the response from the Dundee City Council Roads and Transportation Division on the Local Government and Communities Committee Call for Views on the Disabled Parking Act.

Q1 Do you think the Act has achieved its aim of preventing disabled person's parking spaces being used by those who are not entitled to?

It is difficult to report unless based on Penalty Charge Notices (PCNs) issued. Unfortunately Dundee City Council do not have any figures to compare this on pre-2009.

Based on our experience, the Act has brought about a more focussed management of Disabled Parking Spaces and, through our decriminalised parking enforcement service, we have proactively attended to requests for enforcement by individuals and represented groups.

Our mobile patrols, whereby parking attendants travel in dedicated electric vehicles, can react within approximately 10-15 minutes of requests for assistance where parking abuse is happening at a disabled persons parking place anywhere within the City. This increased responsiveness has had the impact that less people are abusing disabled parking in residential areas, but there is still an element of abuse in car parks and on street parking with non-disabled drivers just stopping for a couple of minutes but our regular enforcement patrols do issue tickets as and when infringements are observed.

Q2 How well is the local authority in your area carrying out its duties required by the Act to convert all advisory on-street disabled persons' parking places into enforceable parking places, unless they are no longer required?

Within Dundee City Council, an on street disabled persons parking place is provided to each qualifying person at a convenient area to their address. This is provided that the applicant must meet the required criteria and first apply for an on street disabled persons parking space by bringing their valid blue badge and V5 Registration certificate.

The application is checked and recorded into the Dundee City Council's Customer Registration Management system. Information requests are then passed on to Network Management Team who will visit the applicant, agree a suitable location and temporarily mark out the location for the disabled persons parking place and a sign on the adopted road for our contractor to install permanent road markings.

If the application is successful, the applicant receives an automatically computer generated letter issued by our Customer Services Department advising that their application is successful. A maximum time period up to 6 months is given for the disabled parking place to be permanently marked out. If the applicant is unsuccessful and refused a bay, an automatically generated letter is issued by Customer Services advising them the reason for refusal.

The new bay requests are sent out on location plans in batches to our contractor to be permanently marked with an installed sign on site after which it is checked by Network Management Team to ensure that it complies with the current regulations.

Every "on street" disabled parking place is identified against the applicant within the Dundee City Council's Disabled Person's Parking Place database, through their name and address. The database can be interrogated to obtain various information including a record history of a particular disabled parking spaces assigned to an applicant. The database is routinely managed with additions of new and removal of existing "on street" disabled parking places located within Dundee City.

At the end of each financial year, an annual report is prepared (report covering the period 1 April to 31 March) by Dundee City Council for the Scottish Ministers. The report details the performance of its functions in relation to parking places for disabled persons' vehicles during

the reporting period. The report includes the total number of requests received , parking places identified including any reasons for refusal and the number of parking places for which statutory process has commenced.

A single statutory order is prepared covering the number of “on street” disabled parking places within that Order which is presented at the council committee for approval and enforcement.

There is a working procedure in place within Dundee City Council to undertake duties on the management of “on street” disabled parking places including a routine updated registers detailing the addition new parking spaces, removal of existing parking spaces and transfer to new applicants. All disabled parking spaces on council grounds are enforced as well as certain spaces on private grounds under housing associations.

There are challenges and difficulties in enforcing disabled parking bays on land belonging private organisations within Dundee who have been approached by Dundee City Council.

There has been little response or commitment by the private organisations to co-operate. It would appear that they are content with their current arrangements and don't require any assistance from Dundee City Council need any outside help.

There are occasions when existing disabled bays become vacant bays throughout the city as a result of applicant moving address, giving up vehicle, no longer have a blue badge or bereavement. The Council is not always informed by the applicant/next of kin and as a result can lie dormant taking unnecessary parking space for a period of time which could otherwise be deployed for normal parking.

Measures are in place if it is brought to our attention a disabled bay has become vacant that a Public Notice is placed next to the disabled bay. The notice will advise that it is the Council's intention to remove the bay unless there is an expression of interest that another blue badge holder would like to be reallocated the bay.

The same required criteria will apply to the new applicant that they must have a blue badge and that their vehicle must be registered to the same address of the blue badge holder otherwise the bay will be removed.

Q3 Any other issues relating to the Act which you wish to bring to the attention of the Committee?

Disabled parking places are often used all day by entitled blue badge holders and we have discussed with Transport Scotland that there are difficulties in encouraging turnover of these high demand city centre disabled parking bays. Dundee City Council have been advised that there are currently no plans to introduce changes to the regulations that would allow time restriction/length of stay control. It should be recognised that a balance has to be achieved between accessible parking for disabled persons requiring long stay parking against the need for turnover of spaces for those that require access to the services in the immediate vicinity of these spaces.

There has been a mixed response from operators of car parks on private land with very little uptake of private operators wanting Dundee City Council to enforce parking restrictions such as disabled parking on non-Council land.

The current legislation in relation to Traffic Regulation Orders means that there will always be a time lag between the marking of a disabled persons parking space and it becoming enforceable.

Undoubtedly the Act has assisted qualifying persons to benefit from parking protection and therefore improving their access to their home and essential services.