

**REPORT TO: CITY DEVELOPMENT COMMITTEE - 20 AUGUST 2012**

**REPORT ON: DISABLED PERSONS' PARKING PLACES  
(ANNUAL REPORT 2011-2012)**

**REPORT BY: DIRECTOR OF CITY DEVELOPMENT**

**REPORT NO: 275-2012**

## **1 PURPOSE OF REPORT**

1.1 This report considers the requirement to keep Elected Members informed of the changes in 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 2011 to March 2012).

4.2 Previous records were kept by the Social Work Department and these records have now been updated and recorded by City Development Department. This required a consolidation exercise to update our information held on various data lists.

4.3 In the last year, Dundee City Council removed 147 disabled on-street parking bays as they were no longer required and added 200 new disabled on-street parking bays. These 200 disabled on-street bays are still advisory bays and cannot be enforced until the associated Traffic Regulation Order has been updated.

4.4 The Car Parking Team are currently reviewing the provision of disabled parking bays in all off-street car parks to bring the provision in line with our agreed policies. This will provide a minimum of three disabled parking bays in smaller car parks and 6% of total car park capacity in our larger car parks.

4.5 West Bell Street car park will not be included in the off-street Traffic Regulation Order as the 1970's design and poor accessibility of the structure does not allow provision for disabled access. The loss of spaces will be accounted for in our other accessible car parks throughout the city.

- 4.6 Dundee City Council is required to offer enforcement of disabled parking to all off-street car park operators every two years. This year's invitation to private car park operators is due to be sent out in November 2012.
- 4.7 In addition to information which was included within the last report, no car park organisations other than the City Development Department within the city accepted the Council's invitation to manage and enforce their car parks.
- 4.8 Further to a consultation exercise of private car park operators throughout the city in December 2010, there was only one request received to enforce the disabled parking regulations on private land. However, due to the cost implications in order for the disabled bays to conform, maintenance costs and the remote location, the private car park operator has yet to confirm their acceptance.
- 4.9 Many of the Council's on-street disabled bays still require upgrading to conform to current standards. Transport Scotland has granted special authorisation to permit the use of all existing non-prescribed disabled bay road markings which currently have variations in size and colour outwith the prescribed versions shown in the Traffic Signs Regulations and General Directions 2002. This authorisation will effectively permit existing bays to remain insitu in the short term until each space needs to be repainted. Additionally, this will also accommodate the differences in size of existing bays and any differences in the colour of the paint currently being used to mark the bays. These bays will be included in the Draft Traffic Regulation Order which will allow the timescale to upgrade the bays to conform with the Traffic Signs and Regulation Direction 2002
- 4.10 The Schedule for 2011-2012 which is detailed in Appendix 1 provides the detailed information specified in the Disabled Persons Parking Places Order. Sections 1-9 in the Schedule for 2011-2012 can be referred to at the following web link: [www.legislation.gov.uk/asp/2009/3/contents](http://www.legislation.gov.uk/asp/2009/3/contents).

## **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 The Chief Executive, the Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

**7 BACKGROUND PAPERS**

- 7.1 Report 443-2010 - Disabled Persons Parking Places (Scotland) Act 2009 - City Development Committee 27 September 2010.

Mike Galloway  
Director of City Development

Neil Gellatly  
Head of Transportation

NHG/JO'N/MM

26 July 2012

Dundee City Council  
Dundee House  
Dundee

**APPENDIX 1****SCHEDULE - YEAR 2011-12**

**This Schedule provides the detailed information specified in the Disabled Persons Parking Places Order**

**a Duties under Section 1**

|   |  |   |
|---|--|---|
| i | Details of action taken in fulfilment of duty under Section 1. | Publications through the press were issued to inform motorists that enforcement would commence should a Blue Badge not be displayed in the window of a vehicle parked within a bay clearly marked for the sole use of a disabled persons' vehicle. Information is available on the DCC website relating to the scheme, rights and responsibilities of Blue Badge holders and the scheme itself. |
|---|--|---|

**b Designated Parking Places**

|   |   |     |
|---|---|-----|
| i | Number of parking places designated as being for use only by a disabled person's vehicle by virtue of the 2009 Act (excluding Section 9). | 904 |
|---|---|-----|

**c Duties under Section 4**

|     |   |                |
|-----|---|----------------|
| i   | Number of advisory disabled street parking places identified under section 4(1).              | 904            |
| ii  | Reasons for any decisions under section 4(2) or 4(3)(a)                                       | Not applicable |
| iii | Number of parking places for which the statutory procedure under section 4(3)(b) has started. | 904            |

**d Duties under Section 5**

|    |  |                  |
|----|--|------------------|
| i  | Number of requests received under section 5(1).            | In excess of 140 |
| ii | Number of parking places identified under section 5(2)(b). | In excess of 140 |

|     |   |   |
|-----|---|---|
| iii | Reasons for any decision under section 5(3)(a).   | <ul style="list-style-type: none"> <li>• Too close to junctions.</li> <li>• Street over capacity in terms of pre allocated disabled parking places.</li> <li>• Applicant already has an off street vehicle access.</li> </ul> |
| iv  | Number of parking places for which the procedure under section 5(3)(b) was started.   | 140   |
| v   | Periods between identifying a parking place under section 5(2)(b) and starting the related procedure under section 5(3)(b). | The parking places were grouped in a batch at six month intervals for the statutory procedure for making the orders.  |

#### e Duties under Section 6

|      |   |  |
|------|---|--|
| i    | The number of advisory disabled off-street parking places identified under section 6(1).  | 67   |
| ii   | Reasons for any decision under section 6(2)(a).   | Not applicable   |
| iii  | Number of parking places for which the procedure under section 6(2)(b) was started.   | Not applicable   |
| iv   | Reasons for any decision that the Council would not have power to make a disabled off-street parking order.                     | Not applicable   |
| v    | Number of premises that include a parking place for which the Council sought arrangements under section 6(6).                   | Nil  |
| vi   | The reasons why it was unsuccessful in making any such arrangements.  | No businesses accepted Dundee City Council offer of off-street disabled parking space enforcement. |
| vii  | Number of parking places in relation to which the procedure under section 6(7) was started.                                     | Nil  |
| viii | The date by which duties under section 6(1), 6(2), (4) Or (6), relative to the period of 12 months referred to in section 6(9). | December 2010  |

#### f Duties under Section 7

|   |   |   |
|---|---|---|
| i | Number of developments for which a planning permission mentioned in section 7(1) was granted. | Number to be confirmed for future submission. |
|---|---|---|

|     |   |   |
|-----|---|---|
| ii  | Its reasons for any decision under section 7(3) that it would not have the power to make a disabled off-street parking order. | To be confirmed for future submission.        |
| iii | Number of premises that include a parking place for which the Council sought arrangements under section 7(5).                 | Number to be confirmed for future submission. |
| iv  | The reasons why it was unsuccessful in making any such arrangements.  | To be confirmed for future submission.        |
| v   | Number of parking places in relation to which the procedure under section 7(6) was started.                                   | Number to be confirmed for future submission. |

### g Duties under Section 8

|     |  |   |
|-----|--|---|
| i   | Its reasons for any decision under section 8(2) that the Council would not have the power to make a disabled off-street parking order. | Not applicable  |
| ii  | Number of premises that include a parking place for which the Council sought arrangements under section 8(4).                          | In excess of 800  |
| iii | The reasons why it was unsuccessful in making any such arrangements.   | <ul style="list-style-type: none"> <li>Costs to the private owner to accommodate disabled parking provision to acceptable standards.</li> <li>Private land owners were content to enforce their own parking.</li> </ul> |
| iv  | The number of parking places in relation to which the Council started the statutory procedure under section 8(5).                      | Nil   |

### h Disabled street parking and disabled off-street parking orders

|     |  |   |
|-----|--|---|
| i   | The number of such orders the making of which the Council started the statutory procedure in accordance with the 2009 Act. | 2   |
| ii  | The number of parking places designated as being for use only by a disabled person's vehicle under such an order.          | 971   |
| iii | In relation to each such order, the period between the start of the statutory procedure and the making of the order.       | <ul style="list-style-type: none"> <li>On street - 27 months</li> <li>Off street - 33 months</li> </ul> |

---

|    |   |                |
|----|---|----------------|
| iv | In respect of each case in which it started the statutory procedure but did not make the order the reasons why not. | Not applicable |
|----|---|----------------|

**i Duties under Section 9**

|   |   |                    |
|---|---|--------------------|
| i | Designation of a temporary parking place where a request has been made under Section 5. | Refer to Section 5 |
|---|---|--------------------|