

## Local Government and Communities Committee

### Post-Legislative Scrutiny of the Disabled Persons' Parking Places (Scotland) Act 2009

#### Submission from Angus Council

- **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?**

The Act has, via the promotion of Traffic Orders, made provision for the formal enforcement of disabled bays either by Police or by local authority where there is civil enforcement. Whilst, like any waiting restriction, prevention is not realistic it does discourage the abuse of these bays by drivers not entitled to use these spaces if there is the threat of a fixed penalty charge.

The effectiveness of restrictions on these parking places is to a large degree dependant on the level of enforcement.

- **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?**

Angus Council has to date concentrated on establishing Disabled Persons Parking Places Traffic Orders in respect of on street bays. Angus Council has identified all the existing bays and have included them in a Traffic Order as well as actively proceeding with additions and deletions thereto as they arise.

In terms of enforcement of these on street parking places that currently lies with Police Scotland however Angus Council is currently going through the application process for Decriminalised Parking Enforcement which if approved will transfer the enforcement responsibilities to the local authority and allow it to decide on enforcement priorities.

Angus Council has identified all disabled persons parking places in its public car parks and its 'parking wardens' provide enforcement of these parking places under a current Traffic Order. With the introduction of decriminalised parking enforcement, the number of wardens dedicated to parking enforcement is likely to increase and specific enforcement priorities can then be identified and implemented.

Whilst Angus Council has identified all disabled persons parking places located at local authority premises it has to date not progressed with Traffic Orders to allow enforcement of these spaces. Up to now, generally, the abuse of such spaces at

local authority premises has not been considered to be a major issue although the occasional report of abuse at premises such as sport centres, etc, with high turnover of visitors has been noted. As a result, Angus Council are shortly to progress a Traffic Order in relation to such premises initially and extend to other Council premises, offices, etc, in due course.

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

The Act requires local authorities to contact owners of private car parks to establish if they wish the disabled person parking places in their car parks to be included in a Traffic Order to allow formal enforcement of these spaces. Further the Act requires local authorities to contact those same owners every two years to make the same query.

This seems to lay a great deal of work on the local authority at a time when budgets and staffing levels are tight. As such it may reduce that burden if the responsibility for inclusion of these spaces in an Order lay with the car park owners to request it.

All on street disabled persons parking places must conform with TSRGD 2016 in terms of road marking layout and colour and associated signing. However the Act does not include any guidance on the requirements associated with off street spaces whether in public or private car parks. As a result some bays may not conform with any Regulations in terms of colour and type of markings and signing. It would be useful for some guidance on this matter in the interest of consistency within the Council area and across Scotland as a whole.

I trust the above is helpful and if you require any further information please contact me.

Yours faithfully,

Ian Cochrane  
Head of Technical & Property Services