

Local Government and Communities Committee

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

Submission from RNIB Scotland

The Royal National Institute of Blind People (RNIB) Scotland is the country's leading charity working with blind and partially sighted people. We support children and adults with sight loss and help them to live full and independent lives.

RNIB Scotland welcomes the opportunity to respond to the Committee's call for written evidence on how the Disabled Persons' Parking Places (Scotland) Act 2009 is working.

For disabled people, dedicated parking spaces provide lifeline access to employment, education, health and leisure. Irresponsible parking can have a highly negative impact, for example, in restricting emergency access or forcing pedestrians into the road and moving traffic to avoid obstructive and inconsiderate parking.

The call for evidence poses the following questions:

1. 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?
2. 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?
3. Any other issues relating to the Act which you wish to bring to the attention of the Committee?

1. 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 does not appear to have achieved its aim of preventing disabled person's parking space being used by those who are not entitled to (that is, non-Blue Badge holders).

Concerns about abuse of the Blue Badge scheme led to the Disabled Persons' Parking Badges (Scotland) Act 2014. This was a Member's Bill proposed by Dennis Robertson MSP, supported by the Scottish Government. It aims to tackle the misuse of the Blue Badge scheme and improve the quality of life for disabled people by freeing up parking spaces for legitimate Blue Badge users.

Badge misuse may take a range of forms. For example, allowing a friend or family member to use the badge when the disabled person it belongs to is not in the car, tampering with a badge or using a badge that is out of date.

RNIB Scotland notes that submissions already received by the Committee include complaints of abuse of the Blue Badge scheme. They also cite problems of finding disabled parking bays occupied or blocked by other drivers; arguments between Blue Badge holders and other drivers; and lack of enforcement.

2. 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?

The 2009 Act required:

- every local authority to undertake a one-off audit of all disabled persons' parking places within their area within twelve months from the Act coming into force;
- every local authority to convert all appropriate (that is, still in use) advisory on-street disabled persons' parking places into enforceable parking places. Any parking places deemed unnecessary would be removed (for example, where the person has moved away).

The latest report from Scottish Ministers, the Disabled Persons' Parking Places (Scotland) Act 2009, Annual Report on Local Authorities' Functions, 1 April 2014 to 31 March 2015, provides information on progress of the 2009 Act.

It shows a range of activity from Scotland's 32 local authorities. For example, Aberdeen City Council has appointed an Enforcement Officer with specific duties to deal with the misuse/abuse of Blue Badges and Stirling Council has amended a Traffic Regulation Order making all on-street disabled spaces enforceable at all times (previously they were only enforceable during daytime hours). The report also highlights the budgetary concerns as well as staffing pressures some local authorities are facing in implementing their obligations under the 2009 Act.

Ergo, it seems that there is mixed progress towards enforcement of the act and an anecdotal impression of local authorities not enforcing disabled persons' parking places.

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

RNIB Scotland would like to endorse the broader points made in the joint submission to the Committee by Guide Dogs Scotland and Scottish Disability Equality Forum (SDEF) the umbrella body for Access Panels in Scotland. It is important that non-blue badge holders know that they should not park in a disabled parking bay and that the bay is clearly marked and effectively enforced.

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