

**Local Government and Communities Committee**

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

**Submission from Glasgow City Council**

**1.0 Introduction**

Glasgow City Council, like most other Local Authorities in Scotland, has now set its budget for the next financial year 2017/ 2018. This has been achieved in a very challenging economic environment - which continues to put public spending under pressure.

In Glasgow, that has meant bridging a £53 million funding gap for the next 12 months. Most of that spending gap has been plugged through the ambitious Transforming Glasgow programme; which continues to deliver major back-office reforms and efficiencies.

The Council has implemented many changes on how we work across the council family to make us more efficient, make best use of our resources to prevent problems rather than curing them and transform how the vital services Glasgow needs are delivered.

To enable this, the Council has adopted 'LEAN' principles to increase efficiency, remove waste, improve processes and cut out unnecessary administration or duplication.

It is within this background that the Council will respond to the call on whether the Disabled Persons' Parking Places Act 2009 (the Act) has achieved its objective.

**2.0 Background**

As part of the Scottish Government's Bill making process, Glasgow City Council provided evidence to the Scottish Government's Committees.

Although the Council broadly supported the objective of the Act, it did so whilst outlining a number of difficulties.

The council also noted that the main promoters of the Bill highlighted that one of the main issues was with off-street private car parks e.g. supermarket/ retail parks.

The Council's response at that time highlighted the following: -

- That there was not a significant issue with the system in place for public roads or the Council's off-street car parks at that time;
- The additional administrative burden as a result of the Bill;

- The additional financial burden as a result of the Bill;
- The demand and expectation for enforcement of mandatory disabled bays and the additional burden on existing enforcement resources.

The Council argued at the time that there was a more productive, less administrative and much cheaper way to achieve the main aim of the Act. This would have been achieved by a change in the Regulations governing the use of the disabled bay road marking and the complementary sign.

This view has not changed and there is significant precedence within the Regulations to accommodate this.

The precedence was in the provision of both yellow box markings and bus stop markings. Both markings originally required to be backed by a traffic regulation order (TRO), but this requirement was revoked by changes to the Regulations.

The Council also argued that the provision of the complementary sign was not required as the disabled bay was a 24hr 365 day use. The requirement for a complementary sign has now been revoked following the publication of the 2016 Regulations.

### 3.0 Current Situation

The financial and administrative burden of the Act on Local Authorities should not be underestimated. This is further demonstrated by Scottish Government's **Annual Report on Local Authorities' Functions: 1 April 2015 to 31 March 2016 and published on 30 September 2016.**

The Council continues to roll out mandatory disabled bays within its Restricted Parking Zones (RPZ), where parking problems are most acute within the city.

There are currently 1938 bays within residential area in Glasgow and we receive very few complaints per annum in this regard.

### 4.0 Call for Evidence

The Council would provide the following comments with regards to the specific questions noted in the Scrutiny Committee's call for evidence.

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 DPPPA has not been fully enacted within Glasgow's residential areas but we continue to roll this out with the extension of RPZs.

However, where there are disabled bays backed by a traffic regulation order (TRO) the Council's Parking Attendants have taken a proactive role with enforcement. These bays are within the city centre inner and outer zones, existing restricted parking zones and bus corridors.

The introduction of the Disabled Persons' Parking Badges (Scotland) Act 2014 has improved enforcement by allowing Local Authority Parking Attendants to confiscate blue badges where they are being mis-used.

The Council has reviewed how it deals with the fraudulent use of Blue Badges and introduced a new process involving different Service Departments and ALEOs to reduce fraud. The process now involves the Council's Corporate Fraud Team.

Since April 2015, the new process has investigated 1518 cases where misuse of a Blue Badge is expected in pay and display or dedicated disabled bays. This has resulted in 711 Blue Badges being confiscated.

The ongoing process helps ensure that spaces are available to those most in need.

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 view on how well Glasgow is carrying out its duties would best be answered by others, however, given the large numbers of bays within Glasgow and the low number of complaints received then the system in Glasgow would appear to be working well.

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

There are two main area that the Council would like the Committee to consider: -

- a) Support the proposal to amend the current Regulations and allow Local Authorities to provide disabled bays without the need for a TRO. By removing this administrative burden, Council's would be able to provide the current service and allow immediate enforcement.
- b) Revoke Section 8 "Disabled off-street parking orders: ongoing duties" of the Act. The Council has undertaken these duties on a number of occasions which is a considerable administrative burden. Since 2009, no private off-street car park owner has requested that the Council promote an off-street TRO to allow enforcement of any disabled bays. The vast majority of private car parks do not have disabled bays and those that do, mostly supermarkets and retail parks employ private parking enforcement contractors.

## **5.0 Conclusion**

Glasgow City Council prides itself in being a city that looks after its vulnerable people. It is doing this within a very challenging economic climate. The Council has reviewed many of its processes and implemented many changes to make it more efficient, make best use of our resources to prevent problems rather than curing them and transform how the vital services Glasgow needs are delivered.

It is the Council's view that the Act introduced an unnecessary financial and administrative burden to all Local Authorities.

The Council would ask the Committee to note that there is a more streamlined way to fully implement the Act and carry out the ongoing duties within the Act and it would ask that the Scottish Government considers this.

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**Glasgow City Council**