

**REPORT TO:** CITY DEVELOPMENT COMMITTEE - 24 JUNE 2013

**REPORT ON:** DISABLED PERSONS' PARKING PLACES (ANNUAL REPORT 2012-2013)

**REPORT BY:** DIRECTOR OF CITY DEVELOPMENT

**REPORT NO:** 233-2013

## **1 PURPOSE OF REPORT**

- 1.1 This 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 2012 to March 2013).
- 4.2 Further to the collection of data from our Social Work Department to the City Development Department, it has still been an on-going and continued exercise to manage an accurate database in order to maintain an accurate provision of parking on our road network.
- 4.3 In the last year, Dundee City Council removed 386 disabled on-street parking bays as they were no longer required and added 57 new disabled on-street parking bays.
- 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 into line with our agreed policies. This will provide a minimum of 3 disabled parking bays in smaller car parks and 6% of total car park capacity in our larger car parks. Transport Scotland has confirmed that the standard of road markings in off-street bays can deviate away from on-street standards which has prevented the necessity to alter disabled bay designs in Council operated car parks. Dundee City Council will look to use the bay design as set out in the Department for Transport Inclusive Mobility Document where possible.
- 4.5 Dundee City Council is required to offer enforcement of disabled parking to all off-street car park operators every 2 years. This invitation was sent out to over 800 private car park operators in February 2013.
- 4.6 Further to the consultation exercise of private car park operators throughout the city, there was only one request received to enforce the disabled parking regulations on private land. Lining within this private car park is to an enforceable standard and minimal signing will be provided by the operator.
- 4.7 Many of the Council's on-street bays still do not meet the current standards. Records are kept relating to the location of these bays and the work required to rectify them. An action plan is now in place to repaint these bays over the next 2 financial years. Further to the

completion of this work, an annual maintenance programme will be in place to maintain the required standard.

- 4.8 Transport Scotland granted special authorisation which allows the Council to enforce all of our existing non-prescribed disabled bay road markings until they have been brought up to the current standard. These bays have variations in size and colour which deviate from the standards set out in Traffic Signs and General Directions 2002.
- 4.9 The Schedule for 2012-2013 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 2012-2013 can be referred to at the following weblink:

[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.
- 7.2 Report 275-12 - Disabled Persons' Parking Places (Annual Report 2011-2012) - City Development Committee - 20 August 2012.
- 7.3 Report 70-2013 - Disabled Persons' Parking Places (Scotland) Act 2009 - Additional Funding Requirements - City Development Committee - 25 March 2013.

Mike Galloway  
Director of City Development

Neil Gellatly  
Head of Transportation

NHG/JO/KM

13 June 2013

Dundee City Council  
Dundee House  
Dundee

**APPENDIX 1****SCHEDULE - YEAR 2012 - 2013**

**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.	Information is available on the DCC website relating to the scheme, rights and responsibilities of Blue Badge holders and the scheme itself. Press publications have also been released informing motorists of the increased budget made available to meet standards and maintain existing disabled spaces.
---	--	---

**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 (The Traffic Regulation Order promoted for the variations for the year 2011-2012 has not yet been confirmed and are thus still advisory).
---	---	---

**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).	70 received in financial year 2012-2013.
ii	Number of parking places identified under section 5(2)(b).	57
iii	Reasons for any decision under section 5(3)(a).	<ul style="list-style-type: none"> <li>• Applicant has access to off street parking.</li> <li>• Unadopted road surface.</li> <li>• Removed at family/applicant request.</li> <li>• Road safety issue.</li> </ul>
iv	Number of parking places for which the procedure under section 5(3)(b) was started.	57

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 the original offer for Dundee City Council to enforce any of their off-street disabled parking spaces.
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.	840 (covering calendar year 2012)
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.	<ul style="list-style-type: none"> <li>• Private dwellings</li> <li>• No parking facilities</li> <li>• Change of use application</li> <li>• Listed building application</li> </ul>
iii	Number of premises that include a parking place for which the Council sought arrangements under section 7(5).	1
iv	The reasons why it was unsuccessful in making any such arrangements.	Still under consideration.

v	Number of parking places in relation to which the procedure under section 7(6) was started.	Negotiations are still on-going with the developer.
---	---	---

**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).	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).	3

**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.	956
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 - 9 months</li> <li>Off street - 9 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
---	---	--------------------