Local Government and Communities Committee

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

Submission from North Ayrshire Council

QUESTION 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?

RESPONSE

North Ayrshire Council have not sought Decriminalised Parking Enforcement powers and as such rely on Police Scotland to enforce disabled person’s parking places that have been included with a Traffic Regulation Order. Overall, it is considered that the Act has been successful in ensuring that all on-street disabled persons’ parking places and Council operated off-street disabled persons’ parking places that have been included within an Order, are seldom abused. The Council has not received many complaints regarding the abuse of disabled persons’ parking places. It should be noted that no private car park owners (supermarket operators/offices etc.) have requested the Council to include their private disabled persons’ parking places in any Order.

QUESTION 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?

RESPONSE

North Ayrshire Council has promoted four separate Traffic Regulation Orders since the introduction of this Act, which has ensured that all on-street and Council operated off-street disabled persons’ parking places, are enforceable in law by Police Scotland. Initially, whilst awaiting formal inclusion in an Order, the Council will also provide the disabled parking place road marking prior to that bay being included within the next Traffic Regulation Order to accelerate availability. There are difficulties in knowing when a disabled parking place is no longer required, as often this information is not passed on to the Council.
QUESTION 3

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

RESPONSE

It would be preferable if a disabled persons’ parking place could be indicated by a road marking only (in keeping with the ethos of the new TSRGD 2016), as this would reduce time and costs involved in the erection of a new pole and sign for each new disabled persons’ parking place location. In addition, this would also reduce time and costs in removing any pole and sign at each time a disabled persons’ parking place is no longer required. It is clear that the majority of private car park owners do not wish to have their disabled persons’ parking places included in an Order and as such it may be appropriate to review this element of the Act.