



The Scottish Parliament
Pàrlamaid na h-Alba

LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

AGENDA

15th Meeting, 2017 (Session 5)

Wednesday 17 May 2017

The Committee will meet at 10.00 am in the James Clerk Maxwell Room (CR4).

1. **Post-legislative scrutiny of the High Hedges (Scotland) Act 2013:** The Committee will take evidence from—

Mark McDonald, Member in Charge of the High Hedges (Scotland) Bill.

2. **Post-legislative scrutiny of the Disabled Persons' Parking Places (Scotland) Act 2009:** The Committee will take evidence from—

Tony McElroy, Head of Devolved Government Relations and Communications, Tesco PLC;

Duncan Bowins, Managing Director, NCP.

3. **Consideration of evidence (in private):** The Committee will consider the evidence heard at agenda items 1 and 2.

Clare Hawthorne
Clerk to the Local Government and Communities Committee
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The Scottish Parliament
Edinburgh
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The papers for this meeting are as follows—

Agenda item 1

Note by the Clerk

LGC/S5/17/15/1

PRIVATE PAPER

LGC/S5/17/15/2 (P)

Agenda item 2

Note by the Clerk

LGC/S5/17/15/3

PRIVATE PAPER

LGC/S5/17/15/4 (P)

Local Government and Communities Committee

15th Meeting 2017 (Session 5), Wednesday 17 May 2017

Post-Legislative Scrutiny of the High Hedges (Scotland) Act – Note by the Clerk

Purpose

1. This paper provides background information on the Committee's evidence session with local authorities as part of its post-legislative scrutiny of the High Hedges (Scotland) Act 2013.

Background

2. At its meeting on 1 February 2017, the Committee agreed its approach to the work it wished to undertake as part of post-legislative scrutiny of the High Hedges (Scotland) Act 2017.
3. On 6 February 2017, the Committee launched a call for written views from all interested individuals and organisations on how they feel the Act is working. The call for views ran until 20 March 2017 and the Committee received 62 submissions in total. The written submissions can be viewed at the following link:

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/103555.aspx>

4. A summary of the written submissions received was also produced and can be found at the following link:

http://www.parliament.scot/S5_Local_Gov/Inquiries/20170330_HHA_SummaryOfEvidence.pdf

Local Government and Communities Committee Consideration

5. At its meeting on 19 April 2017, the Committee held a roundtable evidence session with a number of individuals who had responded to the Committee's call for views.
6. The Official Report (substantially verbatim transcript) of that meeting can be found at the following link:

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=10899&mode=pdf>

7. At its meeting on 10 May 2017, the Committee took evidence from representatives from Aberdeen City Council, Fife Council and Perth and Kinross Council.
8. The Official Report (substantially verbatim transcript) of that meeting is available by 6.00 pm on 16 May 2017 at the following link:

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/99803.aspx>

9. At its meeting on 17 May 2017, the Committee will take evidence from Mark McDonald MSP, the Member who introduced the High Hedges (Scotland) Bill in 2012.

Next Steps

10. Following the evidence session on 17 May 2017, the Committee will consider the evidence it received during the session and then take evidence from the Minister for Local Government and Housing on 24 May 2017. Following that evidence session, the Committee will consider its next steps as part of its post-legislative scrutiny of the Act.

Local Government and Communities Committee

15th Meeting 2017 (Session 5), Wednesday 17 May 2017

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

Purpose

1. This paper provides background information on the Committee's post-legislative scrutiny of the Disabled Persons' Parking Places (Scotland) Act 2009.

Background

2. At its meetings on 1 and 8 February 2017, the Committee agreed its approach to its post-legislative scrutiny of the Disabled Persons' Parking Places (Scotland) Act 2009.
3. On 6 February 2017, the Committee launched a call for written views from all interested individuals and organisations on how they feel the Act is working. The call for views ran until 20 March 2017 and the Committee received 17 submissions in total. The written submissions can be viewed at the following link:

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/103556.aSPX>

Local Government and Communities Committee Consideration

4. At its meeting on 8 February 2017, the Committee agreed to hold an initial scene-setting evidence session with a number of organisations. At its meeting on 29 March 2017, the Committee took evidence from representatives from Aberdeen City Council, the Scottish Disability Equality Forum and the Mobility and Access Committee for Scotland.
5. Following the evidence session on 29 March 2017, the Committee agreed to hold further evidence sessions with supermarkets and private car park operators. At its meeting on 17 May, the Committee will take evidence from Tesco, NCP and the British Parking Association. Asda were also invited to give evidence but were unable to attend. However, Asda have provided a written submission and this is attached at **Annexe A**.

Next Steps

6. Following the evidence session on 17 May 2017, the Committee will consider the evidence it received during the session and then take evidence from local authorities and Police Scotland on 24 May 2017. The Committee will then take evidence from Jackie Baillie MSP, the Member who introduced the Disabled Persons' Parking Places (Scotland) Bill in 2008.

Written Submission from Asda

Asda is Scotland's second largest supermarket, serving 1.9 million customers every week in our 61 stores across the country.

At Asda we understand the impact that the misuse of accessible parking bays has on the people who rely on them, and we take parking space abuse very seriously. While our disabled persons' parking spaces are not legally enforceable, their use is a contractual matter and we do all we can to ensure that they are used correctly. In 2008 Asda became the first retailer to introduce Parking Charge Notices for the misuse of accessible parking bays, in a move that had the support of the majority of our customers. When surveyed at that time, four out of five Asda customers said they believed introducing the enforcement scheme was the right thing to do.

We display signs that set out parking terms and conditions and state that anyone using a disabled bay must clearly display a blue badge in their vehicle. We employ different companies to monitor our car parks; most of our Scottish stores use Parking Eye. Parking attendants regularly visit our stores and vehicles misusing designated accessible bays are issued with a Parking Charge Notice. The charge for contravening the parking conditions is £70, reduced to £40 if the charge is paid within 14 days.

We are confident that our existing enforcement scheme works well, however we would be open to having a discussion with interested local authorities about the provisions in the 2009 Act. Since the Act came into force, our team responsible for Asda's car parks has not rejected any request from a local authority to create enforceable disabled persons' parking places within our car parks. Should a local authority wish to get in contact to discuss promoting a Traffic Regulation Order (TRO) in an Asda car park(s) in their local area, they should contact:

Antony Wilson
Store Equipment and Car Parks, Retail Development
Asda House, Great Wilson Street, Leeds, LS11 5AD

For further information on this submission, please contact:

Niki Stark
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