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## **Local Government and Communities Committee Comataidh Riaghaltas Ionadail is Coimhearsnachdan**

# **Post-legislative scrutiny of the Disabled Persons' Parking Places (Scotland) Act 2009**



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# Local Government and Communities Committee

To consider and report on communities, housing, local government, planning and regeneration matters falling within the responsibility of the Cabinet Secretary for Communities, Social Security and Equalities.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/local-govt-committee.aspx>



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# Introduction

1. This report sets out the Committee's recommendations and conclusions in relation to its post-legislative scrutiny of the Disabled Persons' Parking Places (Scotland) Act 2009 (the Act).

## Background

2. Disabled persons' parking places in Scotland are either advisory or enforceable.
3. **Advisory** disabled persons' parking places are designated by traffic authorities without having to go through a formal approval process. These can be created by erecting signs and/or marking a parking place as a disabled parking space on the road and are mostly found in residential areas close to disabled people's homes. However, due to this informal designation there was no sanction which could be imposed for their misuse by non-blue badge holders. Prior to the Act, the majority of parking places designated for use by disabled people were advisory, were not enforceable and were therefore subject to misuse.<sup>1</sup>
4. **Enforceable** disabled persons' parking places are those which have been formally designated through a Traffic Regulation Order (TRO). A TRO is a legal instrument used by road authorities to enact traffic management measures within their roads, for example, marking the road with yellow lines or other restrictions. A TRO can be used to put in place enforceable disabled persons' parking places. Such spaces are marked with yellow paint and display signs indicating that they are for the sole use of disabled people.

Blue badges are issued by local authorities to identify those people who require to use disabled parking places. Non-blue badge holders or those who are misusing the blue badge can be ticketed for parking in an enforceable disabled persons' parking place.<sup>2</sup>

5. Responsibility for sanctioning those who misuse enforceable disabled persons' parking places is either the responsibility of the local authority or the police, as explained below:
  - **Local Authority:** Currently eighteen Scottish local authorities operate decriminalised on-street parking enforcement (DPE) which means that, under the provisions of the Road Traffic Act 1991 (c. 40), the local authority has assumed control (from the police) of the enforcement of parking offences within their areas. In these areas enforcement is carried out by parking attendants employed by the local authority, or a contractor appointed to undertake this task by the local authority. Parking attendants can issue fixed penalty notices for parking offences, which are enforceable by the local authority without recourse to the courts. Appeals against fixed penalty notices are heard by an Independent Parking Adjudicator.<sup>3</sup>
  - **Police:** In the remaining local authorities enforceable disabled persons' parking places are enforced by the police or police traffic wardens usually through the issue of fixed penalty notices. In addition, in areas where police are responsible

for parking offences these can be enforced through the courts. Court action normally arises only after an offender chooses not to pay a fixed penalty notice and can, on conviction, result in fines up to level 3 on the summary fine standard scale, i.e. up to £1000 for street parking offences.

# The Disabled Persons' Parking Places (Scotland) Bill

6. The Disabled Persons' Parking Places (Scotland) Bill (the Bill) was a Member's Bill introduced by Jackie Baillie MSP on 2 June 2008. The Bill was passed by the Parliament on 26 February 2009, receiving Royal Assent on 1 April 2009. The Policy Memorandum highlights that—

” the main policy objective of the Bill was to prevent disabled persons' parking places being occupied by those that are not entitled to use them by seeking to ensure that enforcement action can be taken. <sup>1</sup>

7. At the Committee meeting on 31 May 2017, Jackie Baillie MSP explained that the Act was narrowly focussed in order to achieve the following—

” First, it makes all the advisory bays in Scotland enforceable, which is done through a process of engagement by local authorities. Secondly, it encourages all businesses that provide private off-street parking to make their disabled bays enforceable too. The bill skirted between devolved and reserved areas, but we managed the balance pretty well.

At the end of the day, it is about how we ensure that disabled people get the same access to their homes and shops that the rest of us enjoy. I hope that the 2009 act has contributed to ensuring that just a bit.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie (Dumbarton) (Lab), contrib. 80<sup>4</sup>

8. Jackie Baillie MSP highlighted that the legislation was prompted by a constituency case whereby a neighbour of a constituent persistently misused a disabled parking bay outside his home, hampering his access to the property. After contacting the police and the local authority, the member was advised that nothing could be done to address this misuse as the space was advisory and therefore not enforceable. The member therefore introduced the legislation to address this issue.
9. The Act requires every local authority to undertake a one-off audit of all disabled persons' parking places within their area, whether on-street or off-street. Local authorities then require to convert all advisory on-street disabled persons' parking places into enforceable parking places, unless they are no longer deemed necessary.
10. The Act also places a duty on every local authority to enter into negotiations with the owners of existing off-street car parks containing disabled persons' parking places with a view to making them enforceable parking places and, where they cannot initially obtain such agreement, to continue to seek such agreement at least once every two years.
11. The Act also requires local authorities to submit an annual progress report on its implementation to Transport Scotland, which then publishes a summary of these reports. Transport Scotland published its most recent summary report on 30 September 2016. <sup>5</sup>



## Approach to scrutiny

12. The Committee launched its call for views on the Act on 6 February 2017.
13. The Committee received 19 responses, all of which can be accessed on the [Committee's web-site](#).<sup>6</sup> To explore the issues further, the Committee took oral evidence from disabled persons' representative groups, local authorities, private car park operators, Jackie Baillie MSP and the Scottish Government. Papers associated with, and Official Reports of these sessions, are available on the [Committee's web-site](#).<sup>7</sup> The Committee thanks all those who provided written and oral evidence.
14. In responding to the Committee's consultation the Scottish Government confirmed that it was launching its own consultation on improving parking practices in Scotland which commenced on 31 March 2017. Its consultation would also explore issues relating to the Act, amongst wider aspects of parking. The Minister for Transport and the Islands, Humza Yousaf (the Minister) stated—

” The consultation will seek views about the enforcement of disabled persons' parking places, and in particular, what opportunities there are to deal with the misuse of advisory disabled persons' parking places in off-street car parks. My officials will continue to support local authorities on this issue and will be setting up a stakeholder group with parking managers from all local authorities in Scotland to explore how we can resolve some of the issues relating to the Disabled Persons' Parking Places (Scotland) Act 2009.

Source: Scottish Government, 2017<sup>8</sup>

15. The Scottish Government's consultation ran until 30 June 2017. The Minister, however, confirmed that this would be extended until 30 August 2017, after the local government elections. The Minister also confirmed that a parking stakeholder working group would be set up to look at some of the issues raised and that this group would have input from disability organisations. He stated—

” My officials will be setting up a stakeholder working group, consisting of parking managers from all local authorities in Scotland, to explore how we can resolve the issues that have been raised in evidence to the committee. The findings from our own consultation process, which closes at the end of this month, and the Committee's post-legislative scrutiny process will help to inform our next steps.

Source: Local Government and Communities Committee 21 June 2017, The Minister for Transport and the Islands (Humza Yousaf), contrib. 6<sup>9</sup>

## Issues Explored

16. The Committee heard of good practice during its consideration of the Act. It was clear, however, from the strength of feeling in some of the submissions received that the abuse of disabled persons' parking places was still having a huge impact on people's lives.
17. Some of the comments received were as follows—

- ” Why is it that the law allows you to apply for a parking space but does not protect a disabled driver the use of the space. I have a space outside my front door but the neighbour opposite constantly parks his car or works van in such a way that no one can use the space. The police and the local council say nothing can be done. <sup>10</sup>
- ” When asked whether they have a blue badge I am always met with the response, "I'm only going to be a minute" or by some sort of verbal abuse.(non printable). It doesn't matter that there are signs up or that the bays are marked in Yellow, these people think only of themselves, and don't care for anyone else. Something definitely needs to be done to bring home to these people that consideration must be given to Blue Badge holders. <sup>11</sup>
- ” By far the greatest problem appears to be relatives of badge holders using granny's blue badge whenever they want to park for free, or are just too lazy to walk, regardless of whether or not granny is in the car. These people are never challenged because there is no effective checking process on people displaying blue badges. <sup>12</sup>
- ” On my many travels, I witness disabled parking places being abused constantly. Persons (drivers) without disabilities have a couldn't care less attitude. Why? Because individuals know policing is non-existent. <sup>13</sup>
- ” trade vehicles continue to use dedicated spaces as loading bays or work spaces, and in the main this is ignored by enforcement authorities. Armoured cash vehicles are marked offenders in this respect – they seem to park wherever they want without let or hindrance. It also seems to be a generally accepted policy that building skips are better placed in disabled parking spaces than on the road. <sup>14</sup>
- ” The Act has helped raising awareness of the issue, but there is still abuse of onstreet parking and the blue badges are still misused. <sup>15</sup>

18. During oral evidence, the Scottish Disability Equality Forum highlighted the negative impact of not being able to access a disabled persons' parking space can have on people's lives, adding—

- ” Accessible parking is an essential part of independent living for a disabled person... if you drive for hours to get somewhere and are unable to park, it adds stress to a person's life and affects their health and wellbeing.

Source: Local Government and Communities Committee 29 March 2017, Morven Brooks, contrib. 53<sup>16</sup>

19. A considerable issue raised by witnesses was that often there were insufficient measures in place to enforce the misuse of disabled persons' parking places. Whilst the Act itself does not legislate for the enforcement of the abuse of disabled persons' parking places, the success of the Act depends on the there being good enforcement measures in place to ensure that once the bays are made enforceable, misuse can be minimised and access can be guaranteed to disabled persons' parking places by those who require them.

20. Referred to later in this report, the Act was future-proofed so that should associated legislation, such as legislation related to enforcement procedures, be changed, its measures ensuring the enforceability of disabled persons' parking places would remain in force. That being the case, many of the recommendations made in this report are relevant to associated legislation, guidelines and procedures.
21. Although similar issues were highlighted in relation to enforcing **on-street** and **off-street disabled persons' parking places**, as local authorities have different responsibilities in relation to these areas (particularly in their responsibilities associated with private car park operators), these topics were considered separately within the Committee's deliberations and in this report.
22. Given that many of the witnesses felt that people's perceptions around the misuse of disabled persons' parking places is directly linked to the issue of enforcement, the final section of this report calls for the Scottish Government to consider a national public awareness campaign to highlight issues pertinent to the abuse of disabled persons' parking places and the negative impact this can have on people's health and mental well-being and their ability to carry out everyday activities.

# On-street parking

23. In relation to on-street disabled persons' parking places, much of the evidence received by the Committee showed that the Act had been generally successful given that it had prompted local authorities to convert the majority of their on-street disabled parking spaces from advisory to enforceable parking places. The Mobility and Access Committee for Scotland (MACS) confirmed that its straw poll of 6 local authorities showed that most had converted on-street advisory disabled parking places into enforceable parking places, or were in the process of doing so.<sup>17</sup>

24. Those local authorities who provided evidence to the Committee confirmed that they had taken action to convert all their on-street disabled persons' parking spaces from advisory to enforceable, in line with the Act's requirements.<sup>18</sup>

25. The Minister agreed with the views that the Act had partially met its aims in this regard, highlighting—

” there is no doubt that there have been great successes in relation to on-street parking and local authority off-street parking. For example, in 2015-16, the 13 local authorities that we could get data from issued 8,000 penalty charge notices to motorists who were misusing disabled parking bays. We therefore have evidence of success in that regard, but it would be foolish not to recognise the fair criticisms from disability organisations, in particular, about the inconsistency that they perceived between on-street and off-street parking. That was a common thread in the evidence of almost every disability organisation that came before your committee, and I do not take that lightly.

Source: Local Government and Communities Committee 21 June 2017, Humza Yousaf, contrib. 9<sup>19</sup>

26. The issues commonly raised with the Committee in relation to on-street disabled parking places tended to be those which were not directly contained within the Act. These were—

- enforcement;
- the process used for creating enforceable disabled persons' parking places and
- signage requirements for disabled person' parking places.

27. Jackie Baillie MSP explained that the approach taken in the Act was to future-proof it so that should there be changes to transport regulations or enforcement measures in future, the Act would remain in force. She said<sup>20</sup> —

” What we tried to do with the bill-I remember the discussions with the bill team- was to future proof it. We did not specify in the bill the transport regulations or enforcement measures that needed to be followed. The idea was that the traffic signs and regulations at that time and in the future would apply to the bill so that, whatever changes were made to other pieces of legislation, the provisions in the bill would stand. I am pleased that we took that approach, because parking is an area that changes.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 85<sup>21</sup>

28. MACS and the Scottish Disability Equality Forum noted that there were some inconsistencies with the way the Act had been applied. MACS stated—

” There seems to be more enthusiasm, for want of a better word, on the part of authorities that have decriminalised parking to place road traffic orders on bays and change them from advisory, than there is among ones that have not decriminalised parking.

Source: Local Government and Communities Committee 29 March 2017, Keith Robertson, contrib. 30<sup>22</sup>

## Enforcement

29. Whilst the Act has raised awareness of the misuse of disabled person parking places and enforcement, much of the evidence received showed issues in the practical enforcement of the misuse of disabled persons' parking places and the fraudulent use of blue badges.
30. MACS and the Scottish Disability Equality Forum both said that that people would continue to misuse disabled persons' parking places because of a lack of enforcement. MACS stated—

” where there is a failing is in enforcement. There seems to be a difference between the local authorities' feeling about how effective that has been and what we experience. Although there is now the possibility of enforcement, the physical enforcement is not there.

Source: Local Government and Communities Committee 29 March 2017, Keith Robertson (Mobility and Access Committee for Scotland), contrib. 6<sup>17</sup>

31. Lack of enforcement was suggested as a particular problem in those local authorities which had not decriminalised parking enforcement. In local authorities which had decriminalised parking enforcement, parking wardens appointed by the local authority have enforcement powers over parking places rather than being enforced by the the police. It was suggested that where the police had an enforcement role in relation to disabled persons' parking places it was lower on their priorities compared with other community matters. MACS commented that currently, only around half of local authorities had decriminalised parking enforcement, some others were going through the process of decriminalising whilst nine local authorities had no intention of doing so. <sup>23</sup>
32. The Scottish Disability Equality Forum and Guide Dogs Scotland noted that in relation to those local authorities who rely on Police Scotland to carry out parking enforcement—
- ” In 2014, Police Scotland started to withdraw their Traffic Warden provision, leaving some areas without any, or very limited provision. Some local authority areas had brokered deals with Police Scotland who provide a couple of days a week, or agree to target certain trouble spots. This level of enforcement allows abuse to happen, of not only disabled bays but also any other inconsiderate parking, such as on yellow lines. <sup>24</sup>
33. In relation to local authorities who rely on Police Scotland to carry out parking enforcement MACS highlighted—

” Traffic wardens have been done away with, so something has to be done to get local authorities to decriminalise parking because, without that, there is no enforcement at all. If there is no enforcement, there is no drive to put road traffic orders on advisory bays. To use a cliché, it is really a bit of a postcode lottery.

Source: Local Government and Communities Committee 29 March 2017, Keith Robertson, contrib. 30<sup>22</sup>

34. Fife and Aberdeen Council both confirmed that the enforcement of disabled persons' parking places had improved in their areas since they decriminalised their parking enforcement. Fife said that prior to their parking being decriminalised, Fife Constabulary had found it more difficult to prioritise parking enforcement alongside its other duties. <sup>25</sup>
35. Aberdeen City Council stated that, alongside appointing wardens for ticketing those who misused disabled persons' parking places, it had also appointed blue badge enforcement officers to enforce the misuse of blue badges by removing them from those people who should not be using them. <sup>26</sup>
36. North Ayrshire Council confirmed that it had looked into decriminalising its parking but considered that it was unable to go through with the process due to financial reasons—

” In about 2010-11, we carried out an investigation and prepared a business case for the introduction of DPE. We engaged with the then Strathclyde Police on the proposal and would have had its support had we chosen that route. However, it did not add up for us financially to do that. It was not affordable for us, we chose not to pursue it at the time and we have not done so since.

Source: Local Government and Communities Committee 24 May 2017, Campbell Dempster, contrib. 170<sup>27</sup>

37. Police Scotland said that, in those local authorities where it is responsible for enforcing parking, it assesses through its community engagement the extent to which parking is a priority issue for communities. It confirmed that it also links up with disability groups at a national level. Where there was a persistent misuse of a particular disabled person's parking place, Police Scotland stated—

” Everything is dealt with on a priority basis, and an escalation of an incident would probably be sent to the community team. In an area that I came from, an issue over a disabled persons parking bay led to an escalation of general neighbourhood issues. When something escalates beyond the issue of the disabled persons' parking bay, our community policing teams will look at it.

Source: Local Government and Communities Committee 24 May 2017, Chief Inspector Paterson, contrib. 187<sup>28</sup>

38. Police Scotland confirmed that it would be beneficial for all local authorities to take on decriminalised parking enforcement powers, but this could only proceed where it had been agreed by both the Council and Police Scotland. It acknowledged that this was difficult for some local authorities for financial reasons, stating—

- ” It is not an easy question to answer. We would have to feel that it was not going to disadvantage the communities involved. The outcome should be that, whoever provides it, the community should get the best service.

North Ayrshire Council has said that it does not think that it is worthwhile for it to decriminalise parking enforcement, and it is not for me to disagree with that. The council has carried out its inquiries and there is still activity going on for our service.

Source: Local Government and Communities Committee 24 May 2017, Chief Inspector Paterson, contrib. 200<sup>29</sup>

39. Jackie Baillie MSP highlighted that a more proactive approach to parking enforcement is taken in town and city centres compared to residential areas, stating—

- ” The enforcement is much more proactive in town centres because of the density of parking there, but it is reactive enforcement in residential areas. The police will be able to act in the kind of situation that my constituent was in, but it is probably too much to expect them to enforce disabled bays in residential areas when there are other priorities and resource constraints.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 83<sup>30</sup>

40. Aberdeen City Council agreed, highlighting—

- ” In Aberdeen, we feel that the city centre locations and other busy locations can be enforced more vigorously than locations in the wider area... we have our city wardens and we can deploy them as we see fit.

Source: Local Government and Communities Committee 29 March 2017, Vycki Ritson (Aberdeen City Council), contrib. 9<sup>26</sup>

41. MACS said that there could be opportunities for local authorities to collaborate on parking enforcement as a possible solution for those local authorities which had not decriminalised their parking, it stated—

- ” Although the local authority service is not actually paying for itself through fines, there is a possibility that it could do in the future, especially if local authorities go down the road of collaborating. That is what we are starting to do in road maintenance-authorities are getting together to look at enforcement instead of having a piecemeal approach where every local authority has a different scheme and method of enforcement. I do not know why there is not more collaboration between local authorities, whereby they join up and look at enforcing all traffic or all parking together, and run one scheme between three, four or more local authorities. It is a rather new concept. It would make sense to do that.

Source: Local Government and Communities Committee 29 March 2017, Keith Robertson, contrib. 67<sup>31</sup>

42. The Committee explored whether there were other methods which could make the parking enforcement system more affordable for local authorities. MACS suggested that putting in place enforcement hotlines that people could use if a non-blue badge holder was parked in a designated disabled parking place could reduce the burden on staff costs. It also suggested the use of higher fines to prevent the persistent



misuse of disabled parking spaces. Improvements in technology for assisting with enforcement were also highlighted by MACS, including an SMS text based system which is used in Edinburgh to deter the misuse of disabled persons' parking places.

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43. The Committee also explored whether the role of parking enforcement could be combined with other roles to make it more affordable for local authorities looking to decriminalise parking enforcement. Fife Council, however, questioned the feasibility of this, stating—

” I am not aware of any model that addresses the multitasking, as you put it. The DPE model is self financing. We are striking a balance—it is about issuing enough tickets to generate an income to pay for the operation. If we start bringing in other activities, we might upset that balance.

Ten or 12 years ago in Fife Council, we discussed whether we could have one warden who did everything, but the practicalities did not stack up. With DPE, parking attendants rely on technology to do their job. They come in and pick up the handsets, which are linked to the in-house computers that generate the penalty charge notices and Driver and Vehicle Licensing Agency checks and all the rest of it. There is quite a hefty piece of technology behind DPE and anybody doing it has to have that. If you want to increase the number of units and the people who use them, there is a cost implication. When you add in other activities, it starts to escalate. We have talked about it quite often but we have not come across a practical way of achieving it.

Source: Local Government and Communities Committee 24 May 2017, David Brown, contrib. 197<sup>32</sup>

44. The Minister agreed that policing the misuse of disabled persons' parking places might not be considered a top priority for Police Scotland in local authorities where parking is not decriminalised, given that this could not be classed as an emergency or a crisis and that they face a number of other commitments and threats. He acknowledged, however, that it was not acceptable that this should cause the level of inconsistency in enforcement that disability groups had been reporting to the Committee. <sup>33</sup>

45. The Minister confirmed that it was preferable for local authorities to adopt decriminalised parking enforcement powers and committed to working with COSLA and SCOTS, along with the parking stakeholder working group, on barriers to adopting these powers, including financial implications. He confirmed—

” There is an obligation on us to work with those local authorities on whether we can get a hybrid solution whereby they partner with neighbouring local authorities. That might make sense for some local authorities. Others might have more of a service level agreement whereby they share facilities and the cost of enforcement—I think that one or two local authorities have arrangements in place so that one provides back-office support to another at a cost, which is way less than the cost of setting up everything from scratch.

Source: Local Government and Communities Committee 21 June 2017, Humza Yousaf, contrib. 37<sup>34</sup>



46. The Committee welcomes the evidence it received of the good progress made in converting advisory on-street disabled persons' parking places into enforceable places. We recognise the good performance of local authorities in enacting this part of the Act.
47. The Committee is disappointed to hear, however, about the inconsistent approach to addressing the misuse of disabled persons' parking places through enforcement particularly where parking has not been decriminalised. Lack of enforcement when misuse arises impacts negatively on disabled people's lives preventing them accessing services, jobs and their homes and potentially limits the success of this Act. We therefore recommend that the Scottish Government works with key stakeholders to identify guidelines on enforcement which can be applied more consistently across Scotland than current practice.
48. The Committee notes that questions have been raised around the ability of Police Scotland to properly enforce the misuse of disabled persons' parking spaces, given its competing priorities for time and resource. The Committee also notes the benefits highlighted by those local authorities which have decriminalised parking enforcement powers.
49. The Committee therefore welcomes the Minister's commitment to look at the opportunities for each local authority to adopt decriminalised parking enforcement powers and agrees that collaborative working, shared services and technologies may afford the most appropriate means of doing so. We seek confirmation from the Minister of the timetable for undertaking this work and request an update on the outcome of his deliberations.

## Creating enforceable bays

50. Prior to the introduction of the Act, we heard that local authorities were reluctant to create enforceable disabled persons' parking places as the TRO process to convert such parking places was onerous, resource and time intensive. Jackie Baillie MSP said—

” Instead of doing them in large batches, local authorities were doing them in ones and twos. That was not efficient, but in fact the TRO system was onerous.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 98<sup>35</sup>

51. At the time the Bill was being considered, Glasgow City Council explained that whilst it broadly supported its objectives, it felt that its aims could have been better achieved by changing the Regulations governing the creation of enforceable disabled persons' parking places. It highlights that its views in this regard have not changed and that a change to these Regulations means that box junctions and bus stop clearways can be created without the need for a TRO. It argues that also allowing an authority to create enforceable disabled persons' parking places without a TRO would make the process both simpler and cheaper.<sup>36</sup>
52. Aberdeen City Council agreed, highlighting that designating disabled persons' parking places, using the TRO process, can take from 6-9 months and during that

process, the parking place is advisory and open to misuse. It confirmed how resource intensive the process was, stating—

” If we propose to put in a disabled bay, we take that proposal to committee. We also put out an instruction for an advisory bay to be marked on the street. The committee will decide whether that proposal can go forward, through the consultation process. We then take it through statutory consultation and public consultation. If we receive objections during that time, we have to take the matter back to committee for a decision on the objection. We can then implement the proposal.

We have about five committee cycles each year. We will take proposals on disabled bays to each of those committees. Taking proposals to the committees and promoting them and advertising them on the street is quite resource intensive for our team.

Source: Local Government and Communities Committee 29 March 2017, Vycki Ritson, contrib. 20<sup>37</sup>

53. Aberdeen Council confirmed that previously it had had only one valid objection to putting in a disabled person's parking place and that the TRO process did not provide valid feedback during the process of consultation. It considered that a process could be put in place whereby the creation of disabled persons' parking spaces could be installed without the use of a TRO and in such a process, a valid public consultation system could still be put in place.<sup>38</sup>

54. Both Fife and North Ayrshire Councils agreed that the TRO process was unnecessary for ensuring proper public consultation to highlight any issues. Fife Council stated—

” Virtually everything that we do now on the road network involves quite heavy consultation. Whether or not it is required by statute, we regularly engage with communities, locals and other people who would be affected. We would see promotion of disabled persons' parking bays as an extension of that.

Source: Local Government and Communities Committee 24 May 2017, David Brown, contrib. 141<sup>39</sup>

55. Jackie Baillie MSP confirmed that when the bill was introduced in 2009, it would be unable to change the TRO process because it came under the Road Traffic Regulation Act 1984, which was reserved. She noted, however, that there had been a change in the legislation in relation to bus clearways, highlighting that a TRO was no longer required for designating bus clearways, whereas it had been in 2009. She suggested that using a similar approach to designating disabled persons' parking spaces without the use of the TRO process might be a preferable and less resource intensive approach for local authorities.<sup>40</sup>

56. MACS confirmed—

” If the Scottish Parliament was to remove the need for a road traffic order under the TSRGD [*Traffic Signs Regulations and General Directions 2016*], which I believe has just been devolved to the Parliament, the only concern that disabled people would have would be whether a parking place designated in that way would have the same enforceability as one made under a road traffic order—it would be crucial to persuade disabled people that that was the case.

Source: Local Government and Communities Committee 29 March 2017, Keith Robertson, contrib. 52<sup>41</sup>

57. The Minister confirmed that simplifying the TRO process had been raised with him and whilst he was unable to commit to removing the process, he would discuss the matter with Scottish Government officials, COSLA and local authorities on its current operation and whether there is more that could be done to improve it. Any such work would, however, also involve looking at any unintended consequences for the public consultation process of removing the need for a TRO.

58. We acknowledge the comments of local authorities regarding the complex and resource intensive nature of the TRO process in designating enforceable disabled persons' parking places. This has potentially slowed the progress made by local authorities in designating such places to date.
59. The Committee welcomes the Minister's commitment to look at improving the TRO process whilst ensuring public consultation remains part of the process. We seek confirmation from the Minister of the timetable for undertaking this work and request that he update the Committee on the outcome of his deliberations.

## Signage

60. Current regulations require local authorities to put in place pole mounted signage, alongside putting markings on the road when designating disabled persons' parking spaces.
61. The Scottish Disability Equality Forum explained that in disabled persons' parking places signage poles can actually be a hindrance to some disabled people, particularly wheelchair users and can be difficult to read or ambiguous.<sup>24</sup> MACS agreed that the pole signage requirements were not necessary, stating—

” There was sufficient demarcation in the signage on the roads—the hatchings and so on. Users would often park their car, try to open the door and smack the door off the pole. Alternatively, the pole can make it impossible to get a wheelchair out. If I am on my own, my wheelchair is in the passenger seat beside me and, even though the door might not have hit the pole, it can sometimes be impossible to get my wheelchair out because the pole is in the way. That means that I have to move the car half out of the bay, for which you can get a parking ticket. The poles were more trouble than they were worth.

Source: Local Government and Communities Committee 29 March 2017, Keith Robertson, contrib. 13<sup>42</sup>

62. Local authorities agreed that they would prefer not to use signage poles, raising concerns about the cost implications of these requirements.<sup>36</sup> Fife Council highlighted the delays caused by the building works associated with the erection of poles and their contribution to street clutter which the Council was trying to reduce. Fife Council stated—

” When the bays were first introduced as advisory spaces, we would simply mark them out. It was only when the traffic regulation order on the bays was amended and a bay was added that we would put up a pole with a sign. That gave us a bit of clarity about what were enforceable bays and what were not. However, if all that was needed for it to be instantly enforceable was the bay marking, we would not need poles.

Source: Local Government and Communities Committee 24 May 2017, David Brown, contrib. 148<sup>43</sup>

63. Jackie Baillie MSP highlighted the new powers under Section 41 of the Scotland Act 2016 which will allow Scottish Ministers to make regulations in respect of traffic signs, a power which was previously reserved to the UK Government. Whilst the powers had not been used yet, the UK Department for Transport published a circular on new UK regulations which stated—

” “The placing of upright parking signs in combination with bay markings is no longer required. Instead, it is for traffic authorities to determine the appropriate signing and marking combination needed to convey to drivers any waiting, loading and parking controls contained in an underpinning traffic order.”

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 98<sup>35</sup>

64. Jackie Baillie MSP said that local authorities may be waiting for revised guidance from the Scottish Government regarding that requirement, now that the power is devolved. The Act had been future-proofed so it could accommodate such changes to reserved powers. Should revised guidance be provided she highlighted that it—

” ...would need to ensure that the bays are marked appropriately and painting is refreshed from time to time, but we could do away with the expensive signage that local authorities have to put in place. That would undoubtedly be helpful. Again, I encourage the Scottish Government to look at the issue.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 98<sup>35</sup>

65. The Minister confirmed that the Parliament had been given these powers under the Scotland Act 2016, stating—

” That is something that I am keen to explore, but I go back to the point that I have just made that we have to be cognisant of unintended consequences. If we simplify the signage process so that it is less financially onerous on local authorities, what we do not want to do is make disabled parking bays less visible. That would be the wrong thing to do. Finding that balance is important, but the commitment to look at both the TRO process and signage is something that we are exploring with the working group and having internal discussions about in the Government.

Source: Local Government and Communities Committee 21 June 2017, Humza Yousaf, contrib. 59<sup>44</sup>

66. The Committee welcomes the Minister's commitment to review the requirement for pole-mounted signage in relation to designating disabled persons' parking places especially given the strength of feeling from those we spoke with that such signage can actively prevent disabled persons' parking places being fully utilised.
67. The Committee seeks confirmation from the Minister of the timescales for undertaking such a review and requests a written summary of its outcome.

# The Act's requirements in relation to off-street parking

68. The Act places three distinct duties on local authorities with regard to off-street disabled persons' parking places—

1. Each local authority was required to carry out a one-off exercise to identify every advisory off-street disabled persons' parking place within its area which existed at the date the provisions of the Act came into force. Where such spaces were provided directly by the authority or in car parks managed/ provided for the authority by a third party then they had to be made enforceable, with the designation order process beginning within 12 months of the Act coming into force. If the parking places were within a privately owned car park then the local authority had to attempt to enter into an agreement with the owner to allow for the creation of enforceable disabled persons' parking places within the car park. If the owner agreed then the local authority had to begin the designation order process.

The only exception to these requirements applied when the authority considered that obtaining a designation order would be detrimental to issues such as traffic flow, vehicle access etc. as set out in Section 122 of the Road Traffic Regulation Act 1984.

2. Where a proposed new development includes advisory off-street disabled persons' parking places, a local authority must decide within three months whether or not it would have the power to make a disabled off-street parking order. If so, then it must attempt to enter into an agreement with the car park owner to allow for the creation of enforceable disabled persons' parking places within the car park. If the owner agrees then the local authority must begin the designation order process. The only exception to this requirement applies when the authority considers that obtaining a designation order would be detrimental to issues such as traffic flow, vehicle access etc. as set out in Section 122 of the Road Traffic Regulation Act.
3. Where local authorities have failed to secure agreement to pursue designation orders for new and existing advisory off-street parking places they must, at least every two years, make another attempt to secure agreement to create enforceable parking places for those sites. Again, this duty is dependent on the enforceable parking places not interfering with the issues raised in Section 122 of the 1984 Act.

69. In relation to local authority operated off-street disabled persons' parking places the local authorities we spoke to confirmed that, in implementing the Act, they had identified and converted such parking places to enforceable using designation orders. This activity had taken place alongside their work in converting advisory on-street disabled persons' parking places.<sup>45</sup>

70. Jackie Baillie MSP explained that the Act's approach for local authorities to regularly contact private car park operators to make their disabled persons' parking places enforceable was taken because legislation relating to parking on private land was

reserved. The Scottish Parliament therefore could not compel private car park operators to make enforceable the misuse of disabled persons' parking places. In privately owned car parks, use of disabled persons' parking places is a contractual matter between the provider and user. Jackie Baillie MSP, however, highlighted that private car park operators have responsibilities to disabled people under existing legislation—

” the minister at the time of the passing of the act was helpful in saying that the Disability Discrimination Act 1995 places requirements on the owners of private off-street parking and that the 2009 act emphasised their duties in that regard, particularly their duty to ensure there is reasonable access for customers and users of their services.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 83<sup>30</sup>

71. Local authorities highlighted that private car park operators in their area generally declined requests for disabled persons' parking bays in their car parks to be made enforceable through TROs, preferring to use their own means of enforcement. In fact, very few private car park owners had agreed to go through the process when approached by local authorities under the duties of the Act. <sup>46</sup>
72. Jackie Baillie MSP highlighted that whilst private car park operators had not taken forward proposals by local authorities to enforce their disabled parking bays, the legislation had raised awareness and made the issue a customer-based decision. This encouraged private operators, particularly supermarkets, to take further action. She stated—

” suddenly there was a queue of supermarkets and out-of-town retail centres all competing with one another to talk about their disabled bay enforcement practice. On delving beneath that to understand what was going on, it turned out that Asda had surveyed its customers, a staggering 93 per cent of whom said that they wanted disabled bays outside Asda to be enforced. For Asda, the issue went from one that was about disabled people and their spending power to one that all its customers cared about.

Asda used the measure as a means of improving customer service to all customers and paying something back into the community.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 101<sup>47</sup>

73. The Committee heard from two businesses on their approach to enforcing the misuse of disabled persons' parking places in their car parks. Both NCP and Tesco claimed to have extensive measures in place to tackle the misuse.
74. NCP confirmed—

” The context is that we have 15 car parks in Scotland, which is about 5,000 spaces. We monitor and enforce disabled bay use. Over the past two years, on average, 4 per cent of all penalty charge notices issued were for disabled bay abuse—that is about 900 notices. That compares with 2 per cent across the rest of the UK. Those figures are for abuse, not for non-payment. We monitor and track all the data and records, going back three or four years.

Source: Local Government and Communities Committee 17 May 2017, Duncan Bowins (NCP), contrib. 122<sup>48</sup>



75. Tesco confirmed—

” We have more than 200 Tesco stores across Scotland from the Highlands and Islands to exceptionally urban locations such as Princes Street and Sauchiehall Street. We have about 39,000 parking bays, of which about 2,100 are disabled bays. In the previous financial year, we issued about 500 fines for disabled parking bay abuse in our stores in Scotland.

Source: Local Government and Communities Committee 17 May 2017, Tony McElroy (Tesco), contrib. 123<sup>49</sup>

76. Both businesses confirmed that any revenue generated through fines goes back into their companies to assist with parking enforcement, including patrolling and signage. Tesco confirmed that it was investing in more technology-based services which it had hoped improve enforcement rates, opting to move away from the use of third party marshals which it felt were incentivised on the volume of tickets issued rather than customer service. It also felt that this technology would allow it to deal with the problem of repeat offenders more appropriately.<sup>50</sup>

77. In relation to its reluctance to create enforceable disabled persons' parking places Tesco stated—

” Private operators still patrol Tesco car parks, but they are probably the same private operators that local authorities use. We want to move away from that, bring things in-house and have Tesco set the standard for what great service looks like.

Source: Local Government and Communities Committee 17 May 2017, Tony McElroy, contrib. 176<sup>51</sup>

78. NCP stated that it had had no such approach from local authorities in Scotland to make its disabled persons' parking places enforceable through TROs. It confirmed that there were some local authorities in the UK where penalty charge notices were served under a TRO, however, no such agreements of this sort existed in Scotland. It stated—

” We already have partnerships with local authorities across the country. We have contracts with St Albans and Manchester whereby all our penalty-charge notices are served by the local authority under a TRO, depending on the mechanics of the agreement. It is possible and we already do it. I am not sure whether that would make enforcement better, because we track our own rates and know that the percentages are normally better than those of the local authorities. I think that that is because of our closer manpower—they are on site all the time, rather than patrolling eight or nine sites.

Source: Local Government and Communities Committee 17 May 2017, Duncan Bowins, contrib. 172<sup>52</sup>

79. MACS and the Scottish Disability Equality Forum acknowledged that there is some good practice in enforcing any misuse of disabled persons' parking places in bigger supermarkets and private car parks in bigger cities. They both highlighted, however, that there is an issue with enforcement in many private car parks, in smaller town supermarkets and health centres.

80. MACS felt that whilst some of the private car park owners clearly identified disabled persons' parking places and displayed warning signs about the fines for misusing them, there is a reluctance to take forward enforcement measures for fear of losing



custom. MACS also suggested that some other car park owners did not want to spend money on putting in clear identification. The Scottish Disability Equality Forum agreed, stating that their members consistently reported problems in off-street supermarkets and health centres. They highlighted that their members had received abuse when challenging people who had misused spaces, or they had not been able to access vital services.<sup>53 54</sup>

81. In relation to whether it would be preferable for a law change to be brought forward to enable enforcement in private car parks, MACS considered—

” It would help local authorities' enforcement schemes to become more cost effective if private companies were buying into local authority enforcement, and the public would have more confidence in it.

Source: Local Government and Communities Committee 29 March 2017, Keith Robertson, contrib. 115<sup>55</sup>

82. The Scottish Disability Equality Forum agreed, stating—

” It makes sense to go down the route of making private landowners and private car park owners more accountable to local authorities for parking spaces. At the moment, there is an attitude that private owners need to take no responsibility whatsoever, which riles people up and causes confusion about what is right and what is wrong.

Source: Local Government and Communities Committee 29 March 2017, Morven Brooks, contrib. 119<sup>56</sup>

83. Whilst the private operators who provided evidence to the Committee were reluctant to use the formal TRO approach, they were willing to discuss with local authorities setting a standard for disabled persons' parking places to ensure consistency of approach across private off-street parking.

84. Tesco stated—

” ...we work with local government across the huge number of areas in which we operate. Whether that is to reach a formal agreement or an informal agreement, we are always happy to have that conversation to ensure that we are working in partnership with local government. Our ambition is always to set the standard for customer service, and, as long as nothing happened that prevented our setting the standard, we would always be happy to have that conversation.

Source: Local Government and Communities Committee 17 May 2017, Tony McElroy, contrib. 195<sup>57</sup>

85. NCP agreed, stating—

” we already work with Disabled Motoring UK, People's Parking and the disabled parking accreditation scheme. We have local authority joint ventures, and we already have TROs in some of our car parks. We are having discussions with local authorities about parking joint ventures. That is just another discussion to have, and it is one that we would be absolutely happy to have.

Source: Local Government and Communities Committee 17 May 2017, Duncan Bowins, contrib. 197<sup>58</sup>

86. The Minister acknowledged the work that Tesco and NCP are doing to enforce the misuse of disabled parking spaces. The Minister also acknowledged, however, that

there is still an issue in relation to enforcement in some private car parking areas. This is particularly the case for smaller private businesses which may not be able to afford the more costly measures taken by bigger organisations such as the technology implemented by Tesco. More information was required to understand the problem in private off-street parking. A stakeholders group involving key players such as the British Parking Association and International Parking Community had been established by the Minister to look specifically at private car parking. It will consider issues such as whether a single code of practice should be put in place and whether there is a requirement for single or independent appeals process.<sup>59 60</sup>

87. The Minister confirmed that contract law is reserved, however, the UK Government has indicated that it would be willing to look at the regulation of disabled persons' parking places to provide for their enforcement. The Minister confirmed that the Scottish Government will work closely with the UK Government and its parking stakeholder group on this matter.<sup>61</sup>

88. The Committee notes that the Act does not legislate for the creation of enforceable disabled persons' parking places or the conversion of advisory parking places to become enforceable in private car parks. The Act does, however, reinforce private companies ongoing responsibilities under the Equality Act 2010 (this Act superseded the Disability Discrimination Act 1995) in ensuring reasonable access for disabled persons in using their services.
89. The Committee welcomes the impact the Act has had in encouraging businesses to accommodate disabled people, as demonstrated by the private car park operators who met with the Committee. We note, however, that the measures taken by private car park operators do not go far enough especially in relation to smaller private car parks. More needs to be done to reinforce their responsibilities under existing legislation and a public awareness campaign, as referred to later in this report, would help drive home this message.
90. We welcome the willingness of the larger private operators we met with to work with local authorities in ensuring consistency of approach in the creation and enforcement of disabled persons' parking places in private car parks. We recommend that the Scottish Government works with local authorities and private car park owners to develop specific guidance to enable a more consistent approach to enforcement to be taken.
91. The Committee welcomes the Minister's commitment to work with the UK Government in relation to possible regulation to enforce disabled persons' parking places. The Committee seeks an update on the outcome of these deliberations.

## Resource Issues in relation to Section 8 of the Act

92. Under Section 8 of the Act, where local authorities have been unable to secure the agreement of private car park owners to create enforceable parking bays they must contact the owners, at least every two years, in an attempt to secure their agreement. Many local authorities raised concerns about this ongoing duty given

there has been very little uptake by private car park operators to make their bays enforceable under the TRO process.

93. Glasgow City Council and the City of Edinburgh Council both asked for this duty to be revoked, <sup>36</sup> with the City of Edinburgh Council stating—

” The Council has completed this exercise four times since the Act was passed. The process is labour and resource intensive, costing around £10- 12K every two years and elicits very few positive responses... Since 2009 not one TRO has been progressed for an off-street car park. Once businesses establish that they are responsible for the costs associated with improving the lines and signs, they decide not to proceed.

94. Both North Ayrshire and Fife Councils agreed that it would be sensible to remove this requirement and highlighted that they had taken a different approach. North Ayrshire Council confirmed that rather than contacting each private car park operator directly, it had put a notice in local newspapers asking whether there was interest among private car park operators in engaging with them about making disabled persons' parking bays enforceable. None had expressed an interest. <sup>62</sup>

95. Fife Council confirmed that it had a web-page which encouraged private operators to contact the Council should they wish to pursue the option of making their disabled persons' parking places enforceable using the TRO process. It had also had no take up. Fife Council confirmed that their officials—

” have discussions with local private car park operators—for example, supermarkets, when there are development discussions. Our development management teams ask whether they wish to come under the wing on that basis and how they will otherwise manage their car parks. We have had no take-up whatsoever through that process. That is our approach at the moment.

Source: Local Government and Communities Committee 24 May 2017, David Brown, contrib. 124<sup>45</sup>

96. Jackie Baillie MSP acknowledged the comments from local authorities that this requirement was onerous in nature. Jackie Baillie highlighted the proportionate approach taken by Fife Council and suggested that, as well as reviewing this requirement, the Minister should encourage the sharing of best practice between Local Authorities in relation to meeting this requirement. <sup>21</sup>

97. In its response to the Committee the Scottish Disability Equality Forum stated regarding the future of this ongoing duty that—

” Before drawing conclusions, we would reckon that this area requires further thought. <sup>24</sup>

98. The Minister confirmed that whilst it could send the wrong message to revoke this section entirely—

” Section 8 got quite an airing at the committee and it would be wrong of us not to look at that issue. We will look at it specifically through the parking managers working group that I spoke about. That is one of the issues that the group will look at and we will have consultation on, because I recognise what some of the local authorities have said. There may be smarter or other ways in which local authorities can contact businesses that are less financially onerous or burdensome on them. We will listen to local authorities on that and we are not closed-minded to exploring whatever suggestions they have.

Source: Local Government and Communities Committee 21 June 2017, Humza Yousaf, contrib. 45<sup>63</sup>

99. The Committee agrees that removing Section 8 of the Act would send out the wrong message regarding engaging with private car park operators about making their disabled persons' parking places enforceable. Given the wide range of approaches adopted by local authorities, however, we agree with the Minister that there should be a review of how the requirements of this section are being met to identify best practice.
100. We therefore recommend that the Scottish Government stakeholder working group undertakes such a review with a view to encouraging the sharing of best practice between local authorities in relation to engaging with the private sector car park owners in relation to disabled persons' parking places.

# Public Awareness Campaign

101. Many witnesses, including MACS and the Scottish Disability Equality Forum, suggested that the main reason for the misuse of disabled persons' parking places in on and off-street parking was people's lack of understanding of the impact on disabled peoples' quality of lives when they are unable to access a parking space. Many highlighted the ongoing perception that it is acceptable to use disabled persons' parking places, "even if just for a minute", with little or no thought that their misuse may prevent a person's ability to access their home, job or vital services. Most called for a public awareness raising campaign in order to highlight the unacceptability of continuing this practice.
102. The Act places a requirement on local authorities to promote the proper use of parking places for disabled persons' vehicles. The Act does not prescribe what local authorities should do but highlights good practice carried out by more proactive local authorities in relation to public information campaigns and staff training.
103. The Scottish Disability Equality Forum stated that, alongside a consistent approach to enforcement—

” We need a hard-hitting visual campaign that uses plain English, which is simple to understand. The campaign needs to be really hard hitting about the fact that people who use disabled parking spaces when they should not be really affect disabled peoples' lives.

Source: Local Government and Communities Committee 29 March 2017, Morven Brooks, contrib. 122<sup>64</sup>

104. MACS highlighted that such a campaign should not only highlight the unacceptability of misusing these spaces, but also raise awareness of the aggressive and violent behaviour disabled people sometimes face in rightfully trying to access a parking place. <sup>55</sup>
105. Tesco agreed that a public awareness raising campaign would contribute towards changing behaviours and reinforce the unacceptability of wrongly parking in a disabled bay. It would also reinforce the enforcement mechanisms it currently uses to prevent the misuse of these spaces. <sup>65</sup>
106. Police Scotland identified the advantages of a national coordinated plan involving all organisations with responsibilities in this area—

” The police put out joint messages all the time, and messages come across powerfully when they are not from a single organisation. We can signpost people to how they can report disabled parking infringements. It does not matter whether the bays are decriminalised; there are ways in which we can manage the issue to make it clear to people how they can get help.

Source: Local Government and Communities Committee 24 May 2017, Chief Inspector Paterson, contrib. 192<sup>66</sup>

107. Local Authorities agreed that a national campaign would have a value in raising the issue, with Fife Council highlighting—

” ...there are people who think that they can get away with misuse of disabled bays. They think, “I’ll stop here for 10 minutes.” However, in that time, a blue badge holder might come along. Any campaign that raised awareness of the issues would be useful.

Source: Local Government and Communities Committee 24 May 2017, David Brown, contrib. 193<sup>67</sup>

108. Jackie Baillie MSP confirmed that the need for a public awareness campaign was raised during the scrutiny of the Bill. At that time the Scottish Government was asked by her and the Local Government and Regeneration Committee to consider undertaking a public awareness campaign, led by the relevant organisations, to drive home some of the messages they had received from disabled people in evidence. She stated—

” It should not always be left to the voluntary sector to do such things; Government should step up to the plate. I am disappointed, because I do not think that there was a campaign, but it is never too late, and I encourage the transport minister to consider having one.

Source: Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 90<sup>68</sup>

109. Whilst the Minister did not commit the Scottish Government to undertaking such a campaign, he confirmed that he would explore the possibility of such a campaign with the police and local authorities. He confirmed that a decision in relation to this would have to take account of other competing priorities such as other transport campaigns that come with resource and financial implications. He confirmed, however, that the Scottish Government would take into consideration any recommendations made by this Committee alongside responses to the Scottish Government's consultation on improving parking in Scotland.<sup>69 70</sup>

110. Witnesses were unanimous that a public lack of understanding about the impact of misusing disabled persons' parking places on disabled people was the biggest factor underpinning the misuse of such parking places.

111. The Committee agrees therefore that a nationally coordinated campaign involving all organisations with a role in the creation and enforcement of disabled persons' parking places, alongside a more consistent approach to enforcing their misuse, would go a long way to addressing some of the issues highlighted in this report.

112. Whilst the Committee welcomes the Minister's commitment to look at undertaking a national awareness raising campaign, given the unanimous evidence we received about its importance to addressing misuse, we strongly urge the Scottish Government to take forward this approach.

## Annex A- Written and Oral Evidence

113. The written and oral evidence received, correspondence and links to the Official Reports and meetings where the Disabled Persons' Parking Places (Scotland) Act 2009 was considered, are available [online](#).<sup>71</sup>



- [1] Scottish Parliament. (2008, June 2). Disabled Persons' Parking Places (Scotland) Bill Policy Memorandum. Retrieved from [http://www.scottish.parliament.uk/S3\\_Bills/Disabled%20Person%20Parking%20Places%20\(Scotland\)%20Bill/b10s3-introd-pm.pdf](http://www.scottish.parliament.uk/S3_Bills/Disabled%20Person%20Parking%20Places%20(Scotland)%20Bill/b10s3-introd-pm.pdf) [accessed 6 July 2017]
- [2] Transport Scotland. (2017, March 31). Improving Parking in Scotland: A Consultation. Retrieved from <https://www.transport.gov.scot/consultation/improving-parking-in-scotland-consultation/> [accessed 25 July 2017]
- [3] Road Traffic Act 1991. (1991). Retrieved from <http://www.legislation.gov.uk/ukpga/1991/40/contents> [accessed 19 August 2017]
- [4] Local Government and Communities Committee 31 May 2017, Jackie Baillie (Dumbarton) (Lab), contrib. 80, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10993&c=2016691>
- [5] Transport Scotland. (2016, September 30). Disabled Persons' Parking Places (Scotland) Act 2009 - Annual Report on Local Authorities' Functions - 1 April 2015 to 31 March 2016. Retrieved from <https://www.transport.gov.scot/publication/disabled-persons-parking-places-scotland-act-2009-annual-report-on-local-authorities-functions-1-april-2015-to-31-march-2016/> [accessed 18 August 2017]
- [6] Local Government and Communities Committee, Scottish Parliament. (2017, March). Submissions Received on the Disabled Persons' Parking Places (Scotland) Act 2009. Retrieved from <http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/103556.aspx> [accessed 29 August 2017]
- [7] Local Government and Communities Committee, Scottish Parliament. (2017, February). Post-Legislative Scrutiny: Disabled Persons' Parking Places (Scotland) Act 2009. Retrieved from <http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/103411.aspx> [accessed 29 August 2017]
- [8] Scottish Government. (2017, March). Written Submission. Retrieved from [http://www.scottish.parliament.uk/S5\\_Local\\_Gov/Inquiries/20170330\\_DPPPA\\_ScottishGovernment.pdf](http://www.scottish.parliament.uk/S5_Local_Gov/Inquiries/20170330_DPPPA_ScottishGovernment.pdf) [accessed 25 July 2017]
- [9] Local Government and Communities Committee 21 June 2017, The Minister for Transport and the Islands (Humza Yousaf), contrib. 6, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=11031&c=2013043>
- [10] Ritchie, P. (2017, August). Written Submission. Retrieved from [http://www.parliament.scot/S5\\_Local\\_Gov/Inquiries/20170208\\_DPPPA\\_PRitchie.pdf](http://www.parliament.scot/S5_Local_Gov/Inquiries/20170208_DPPPA_PRitchie.pdf) [accessed 29 August 2017]
- [11] Thomson, I. (2017, March). Written Submission. Retrieved from [http://www.parliament.scot/S5\\_Local\\_Gov/Inquiries/20170303\\_DPPPA\\_IThompson.pdf](http://www.parliament.scot/S5_Local_Gov/Inquiries/20170303_DPPPA_IThompson.pdf) [accessed 29 August 2017]
- [12] Ewing, R. (2017, March). Written Submission. Retrieved from [http://www.parliament.scot/S5\\_Local\\_Gov/Inquiries/20170307\\_DPPPA\\_REwing.pdf](http://www.parliament.scot/S5_Local_Gov/Inquiries/20170307_DPPPA_REwing.pdf) [accessed 29 August 2017]
- [13] Anonymous. (2017, March). Written Submission. Retrieved from [http://www.parliament.scot/S5\\_Local\\_Gov/Inquiries/20170309\\_DPPPA\\_Anonymous.pdf](http://www.parliament.scot/S5_Local_Gov/Inquiries/20170309_DPPPA_Anonymous.pdf) [accessed 29 August 2017]



- [14] Richards, L. (2017, March). Written Submission. Retrieved from [http://www.parliament.scot/S5\\_Local\\_Gov/Inquiries/20170312\\_DPPPA\\_LRichards.pdf](http://www.parliament.scot/S5_Local_Gov/Inquiries/20170312_DPPPA_LRichards.pdf) [accessed 29 August 2017]
- [15] Scottish Disability Equality Forum and Guide Dogs Scotland. (2017, August). Written Submission. Retrieved from [http://www.parliament.scot/S5\\_Local\\_Gov/Inquiries/20170320\\_DPPPA\\_SDEF\\_GuideDogsScotland.pdf](http://www.parliament.scot/S5_Local_Gov/Inquiries/20170320_DPPPA_SDEF_GuideDogsScotland.pdf) [accessed 29 August 2017]
- [16] Local Government and Communities Committee 29 March 2017, Morven Brooks, contrib. 53, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10878&c=1989200>
- [17] Local Government and Communities Committee 29 March 2017, Keith Robertson (Mobility and Access Committee for Scotland), contrib. 6, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10878&c=1989153>
- [18] Local Government and Communities Committee 24 May 2017, David Brown (Fife Council), contrib. 116, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10971&c=2003421>
- [19] Local Government and Communities Committee 21 June 2017, Humza Yousaf, contrib. 9, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=11031&c=2013046>
- [20] Local Government and Communities Committee 29 March 2017, Jackie Baillie, contrib. 42, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10878&c=1989189>
- [21] Local Government and Communities Committee 31 May 2017, Jackie Baillie, contrib. 85, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10993&c=2006975>
- [22] Local Government and Communities Committee 29 March 2017, Keith Robertson, contrib. 30, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=10878&c=1989177>
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