

DISABLED PERSONS' PARKING PLACES (SCOTLAND) ACT 2009
ANNUAL REPORT ON LOCAL AUTHORITIES' FUNCTIONS
1 APRIL 2013 TO 31 MARCH 2014

Background:

Disabled persons' parking places play a vital role in enabling disabled people to carry out day-to-day activities that non-disabled people can take for granted. The Disabled Persons' Parking Places (Scotland) Act 2009¹ ("the Act") was passed by the Scottish Parliament on 26 February 2009, receiving Royal Assent on 1 April 2009, and coming into force on 1 October 2009.

The Scottish Government recognises that it is socially unacceptable to abuse disabled parking spaces, and the Act places a duty on all local authorities to promote the proper use of disabled parking places, and aims to make all disabled persons' parking bays enforceable.

The Act, under sections 4 and 6, placed a duty on local authorities to identify all advisory disabled parking places and either remove them or begin the statutory procedure to make them enforceable. The Act states that this duty was to be performed within 12 months of the coming into force of the Act (by 30 September 2010).

Section 11 of the Act places a duty on local authorities and section 12 on the Scottish Ministers to publish annual performance reports on local authorities' functions in relation to parking places for disabled persons' vehicles. Part 1 and Part 2 of the Schedule² to the Act details what the reports should include.

Local Authorities' Duty under Section 11:

Section 11 of the Act requires a local authority to prepare, publish and send to Scottish Ministers a copy of, '*a report on its performance of its functions in relation to parking places for disabled persons' vehicles during the reporting period.*' Part 1 of the Schedule specifies what information the report should contain.

The information provided to Scottish Ministers by local authorities for the reporting year 2013-2014 can be found at Annex A.

Scottish Ministers' Duty under Section 12:

Section 12 of the Act requires Scottish Ministers to prepare, publish and lay before the Scottish Parliament, '*a report on the performance by the local authorities of their functions in relation to parking places for disabled persons' vehicles during the reporting period.*'

The preparation, publication and laying of this report will fulfil those requirements for the reporting year 2013-2014 and cover the period from 1 April 2013 to 31 March

¹ <http://www.legislation.gov.uk/asp/2009/3/contents>

² <http://www.legislation.gov.uk/asp/2009/3/schedule>

2014. The Scottish Ministers' reports are published on the Transport Scotland website³.

Transport Scotland
On behalf of the Scottish Ministers

³ <http://www.transportscotland.gov.uk/road/parking>

SCOTTISH MINISTERS' REPORT:

The following information is reported as a requirement of section 12 of the Act. The following information should be read in conjunction with the Schedule⁴ to the Act.

1. **Schedule, Part 2, paragraph 3 (a)**: *'details of the action that each local authority took in fulfilment of its duty under section 1'*. Local authorities reported the following information under paragraph 3 (a) -

Aberdeen City Council:

- Aberdeen City Council have adopted a policy for pursuing drivers who misuse Blue Badges and have put forward 2 cases to Procurator Fiscal for prosecution, both have been successfully completed.
- Currently the misuse/abuse of Blue Badges has been carried out by the City Wardens but a post has now been created for an Enforcement Officer specifically tasked to deal with this misuse/abuse.
- Blue Badge holders, when requesting a disabled parking place, have been advised that such a space will be open to any Blue Badge holder and that the Blue Badge must be displayed at all times when parked in these spaces.
- A Programme of works was completed in August 2013 to reline and sign existing disabled bays. A road order was 'made' in February 2014.
- The disabled persons' parking places application process has been reviewed and the Aberdeen City Council's Housing Department is being consulted regarding off-street places under their control with a view to regulating such places.

Aberdeenshire Council:

- Aberdeenshire Council promotes the proper use of parking spaces for disabled persons' vehicles by routinely issuing excess charge notices to those using such spaces improperly in car parks covered by the Aberdeenshire Council (Off Street Parking) Order. The number of such notices issued during the reporting period (2013-14) was 49 of which 15 were subsequently cancelled when a blue badge was produced during the appeals process.

Angus Council:

- Angus Council are continuing to process requests for new street disabled bays and, where criteria are met, then temporary advisory bays are being provided. Similarly Angus Council is removing bays which are no longer necessary for various reasons.
- The details of all new and removed bays are being noted. Traffic road orders to vary the current parent Disabled Street Order are promoted to add and delete these bays.
- Angus Council continue to upgrade non-conforming existing street disabled bays to meet current regulations in terms of road markings and associated signing.
- Angus Council issue penalty charge notices to those drivers improperly using disabled persons parking places in an off-street car park covered by Angus Council (Off Street Car Parks) Order.

⁴ <http://www.legislation.gov.uk/asp/2009/3/schedule>

Argyll & Bute Council:

- Argyll & Bute Council report that they have liaised with developers, seeking arrangements to make off-street parking places enforceable.

City of Edinburgh Council:

- In October 2013, a letter was sent to 17,000 non domestic rates payers and organisations which explained the key points of the Act and asked if the establishments had a car park with disabled parking places that they wished the City of Edinburgh Council (CEC) to enforce. Such letters are sent out every two years. To date there has been very little interest from those contacted.
- CEC currently undertakes the enforcement of all disabled persons' parking places which are governed by a Traffic Regulation Order (TRO).
- For new developments, there are procedures in place to make developers aware of the duty of local authorities to promote the proper use of designated disabled persons' parking places. As part of the planning process the developer is asked if they wish CEC to enforce disabled persons' parking places.

Clackmannanshire Council:

- On street bays are signed and lined as required by Clackmannanshire Council.

Comhairle nan Eilean Siar:

- Comhairle nan Eilean Siar has communicated with local organisations to promote the use of Traffic Orders to assist with the management of disabled persons parking bays. Physical improvements to bays to meet user needs.

Dumfries & Galloway Council:

- Disabled Persons' Parking Places Orders were implemented by Dumfries & Galloway Council in 2012 and are reviewed when required.

Dundee City Council:

- Information is available on Dundee City Council's website relating to the scheme and the rights and responsibilities of Blue Badge holders.
- Press publications have also been released informing motorists of the increased budget made available to meet standards and maintain existing disabled spaces.

East Ayrshire Council:

- All disabled persons' parking bay holders were written to by East Ayrshire Council and asked to confirm their continuing need and eligibility for their disabled parking bay.
- An amendment Order containing 101 new bays and removing 66 bays was made on the 28th March 2014.

East Dunbartonshire Council:

- The East Dunbartonshire Council roads authority have carried out an audit of disabled parking spaces within the settlement areas of Bearsden, Milngavie and Kirkintilloch to ensure that those bays have the required regulatory markings and meet the minimum prescribed dimensions to allow Police Scotland to carry out enforcement duties under the Road Traffic Regulation Act 1984.

- Orders for all three aforementioned settlement areas were raised between 1 April 2013 and 31 March 2014 and bollards containing the order information erected at each bay location. All other settlements have been dealt with under earlier orders.

East Lothian Council:

- Advertising Literature, “Don’t park in my space” has been displayed in all East Lothian Council offices.

East Renfrewshire Council:

- East Renfrewshire Council consider all requests for disabled persons parking places and commence the statutory process to make Orders for those applicants.

Falkirk Council:

- Falkirk Council considered all requests for disabled persons parking places by qualifying persons and has where possible commenced the statutory process to make Orders for those applicants.
- It has developed its own Performance Indicator to monitor the period of time to process applications for on-street disabled persons’ parking places.

Fife Council:

- The second of Fife Council’s 6 monthly updates to the relevant traffic regulation order (“TRO”) schedules was made on 24th June 2013 and the third amendment was advertised on 20th January 2014 with a view to being made in June 2014.
- The relevant TRO has been amended to add the new bays and to remove bays which have become redundant.
- Discussions regarding including relevant advisory bays in Fife Council facilities car parks within the off-street TRO are still on-going and at present no Council facilities car parks are covered by the TRO.
- No progress has been made regarding relevant private car parks, however information is available on the Fife Council’s web site should private car park owners or managers wish to discuss enforcement of advisory disabled bays.

Glasgow City Council:

- Glasgow City Council has continued the migration of former advisory road markings to markings that confirm to the traffic signage regulations.
- All new developments have been checked and where necessary developers have been contacted and invited to participate in the provision of suitable disabled parking arrangements.

Highland Council:

For the purposes of this exercise The Highland Council has been divided into 7 districts and the following action has been taken:

- On-street: A traffic regulation order (“TRO”) is in place for five districts. In one district, the consultation process for draft TROs has been successfully completed and once site works are complete the TRO will be made operational. In the final district the consultation process for the draft TRO has been started and is ongoing.

- Off-street: The limited resources available have been concentrated on TROs for on-street disabled parking places and once this is complete the focus will be to identify and prepare TROs for all existing advisory parking places under The Highland Council's management.

Inverclyde Council:

- Inverclyde Council promotes the creation of parking places for disabled persons through an on-line application process on the Council's website.

Midlothian Council:

- Midlothian Council have identified all pre-existing on-street bays, assessed and made enforceable by inclusion in a traffic regulation order ("TRO").
- All off-street bays for which Midlothian Council is responsible have been identified, assessed and made enforceable by inclusion in a TRO.
- New applications are being processed as fast as resources permit. However with staff reductions it is proving difficult to allocate staff time to initiate the legal part of the process.

Moray Council:

- Following the process undertaken previously, to identify all historic advisory disabled parking spaces, the council have been assessing all new applications over the second reporting period (1/4/2013 to 31/3/2014) in accordance with the Disabled Persons' Parking Places (Scotland) Act 2009 and supporting advice.

North Ayrshire Council:

- North Ayrshire Council made a second Disabled Persons Parking Places Order on 31 May 2013, which includes additional on-street bays and off-street bays.

North Lanarkshire Council:

- North Lanarkshire Council has continued to assess requests for disabled persons' parking places and promoted a number of Traffic Regulation Orders to allow the use of parking spaces to be enforced by Police Scotland.

Orkney Council:

- Orkney Council has identified both on-street and off-street parking places.

Perth & Kinross Council:

- All disabled persons' parking bays have been identified by Perth and Kinross Council for enforcement purposes.

Renfrewshire Council:

- Renfrewshire Council made a traffic regulation order ("TRO") in June 2013 for 43 bays.
- Renfrewshire Council moved to 2nd stage consultation on Wednesday 6th August 2014 with a TRO to consolidate 214 bays, amend the dimensions of 18 bays, remove 7 bays that are no longer required and promote 286 new bays.
- Renfrewshire Council reviewed its procedure for drafting and is updating its methods.

- The Renfrewshire Council is changing to a digitised system through the use of GIS based mapping database, which will improve staff efficiency for future TRO updating.

Scottish Borders Council:

- The Scottish Borders Council has:-
 - Designated on-street disabled spaces.
 - Provided advisory (temporary) disabled on-street and off street spaces.
 - Provided enforceable off-street disabled parking place through traffic regulation orders including some in car parks under private ownership.
 - Enforced off-street parking regulations.
 - Encouraged on-street enforcement by Police.

Shetland Islands Council:

- Traffic regulation orders are carried out on a priority basis as listed below:
 - On-street;
 - Off-street for council controlled car parks;
 - Private car parks with the permission of the owner.
- The council has also provided information through various sources in order to reach as many in the community as possible:
 - The council web page highlighting eligibility, statutory process and all relevant information.
 - Local weekly newspaper (The Shetland Times) to highlight all stages of the statutory process.

South Ayrshire Council:

- Published information on South Ayrshire Council web site.
- Promoted traffic regulation orders covering proper use of disabled parking places in car parks.
- Trained parking attendants to promote proper use of the parking places through education and enforcement.

South Lanarkshire Council:

- South Lanarkshire Council enforces the regulated disabled persons' parking bays in line with its policies and procedures.

Stirling Council:

- Stirling Council assessed all applications received under the existing criteria which were amended following the introduction of the Disabled Persons' Parking Places (Scotland) Act 2009.
- Where the applicant meets the criteria for a disabled person's parking space outside their property, we aim to arrange for the marking of an advisory space within 10 working days of receiving their agreement on its location.
- Once the traffic regulation order process has been completed, the Council has arranged for the necessary signage to be erected.

West Dunbartonshire Council:

- West Dunbartonshire has an up to date database for all on-street disabled parking bays; this identifies those already legally enforceable and those which are currently advisory only. This is constantly updated to include all new on-street parking bays. Each time a new TRO is implemented, the bays marked as advisory are automatically included in this schedule.

West Lothian Council:

- Press Releases: West Lothian Council has provided information to various sources in order to reach as much of the community as possible. The following methods have been used to convey information:
 - Information on the council web page at all times.
 - Additional information on the council web page during the statutory advertisement period.
 - Newspaper advert to start the statutory advertisement period.
 - The back doors of 12 council vans have been vinyl wrapped with a message promoting the correct use of disabled parking places.
 - Worked with Disability West Lothian to plan a 'day of action'. This will involve representatives of Disability West Lothian carrying out activities that will promote the correct use of disabled parking places.

2. **Schedule, Part 2, paragraph 3 (b):** *'the total number of parking places designated by the local authorities as being for use only by a disabled persons' vehicle by virtue of the provisions of this Act (except Section 9)'*

Table 1 below sets out the total number of parking places (excluding temporary places) designated by individual local authorities as being for use only by a disabled person's vehicle. **The table reports only disabled parking placed made enforceable by an order in the reporting year 2013/14 and does not take account of those removed.**

Table 1

local authority/ places	local authority/ places	local authority/ places
Aberdeen City 783	East Lothian 0	Orkney 4
Aberdeenshire 0	East Renfrewshire 115	Perth & Kinross 4
Angus 152	Falkirk 44	Renfrewshire 285
Argyll & Bute 0	Fife 434	Scottish Borders 0
City of Edinburgh 63	Glasgow 0	Shetland 11
Clackmannanshire 13	Highland 80	South Ayrshire 418
Comhairle nan Eilean Siar 0	Inverclyde 46	South Lanarkshire 85
Dumfries & Galloway 437	Midlothian 0	Stirling 16
Dundee 0	Moray 285	West Dunbartonshire 720
East Ayrshire 14	North Ayrshire 208	West Lothian 69
East Dunbartonshire 191	North Lanarkshire 678	

3. **Schedule, Part 2, paragraph 3(c):** 'for each category of information under paragraph 1 that requires the reporting of a number or a date, a table setting out the number reported by each local authority.'

	PART 1(1)(d)(i): Number of requests received under section 5(1)	PART 1(1)(d)(ii): Number of parking places identified under section 5(2)(b)	PART 1(1)(d)(iv): Number of parking places for which the procedure under section 5(3)(b) was started.	PART 1(1)(f)(i): Number of developments for which a planning permission mentioned in section 7(1) was granted.	PART 1(1)(f)(iii): Number of premises that include a parking place for which the Council sought arrangements under section 7(5).
Aberdeen City	143	103	103	0	2
Aberdeenshire	62	52	0	27	0
Angus	82	61	31	1	0
Argyll & Bute	9	9	9	2	2
City of Edinburgh	159	136	78	754	0
Clackmannanshire	20	13	13	0	0
Comhairle nan Eilean Siar	2	0	0	0	0
Dumfries & Galloway	60	28	19	0	0
Dundee	92	70	70	0	0
East Ayrshire	47	14	101	21	0
East Dunbartonshire	28	20	20	7	0
East Lothian	47	47	0	4	0
East Renfrewshire	20	20	47	0	0
Falkirk	73	49	49	6	0
Fife	322	246	214	1	1
Glasgow	84	84	0	92	92
Highland	55	31	8	0	0
Inverclyde	95	38	42	12	0
Midlothian	68	60	0	0	0
Moray	44	33	33	4	4
North Ayrshire	54	25	0	0	0
North Lanarkshire	263	159	159	0	0
Orkney	2	2	0	0	0
Perth & Kinross	44	4	4	0	0
Renfrewshire	139	133	133	1	0
Scottish Borders	137	124	0	11	0
Shetland	13	11	11	0	0
South Ayrshire	263	219	37	0	0
South Lanarkshire	62	62	62	0	0
Stirling	23	16	16	10	0
West Dunbartonshire	92	72	128	10	10
West Lothian	141	115	108	4	4

	PART 1(1)(f)(v): Number of parking places in relation to which the procedure under section 7(6) was started.	PART 1(1)(g)(ii): Number of premises that include a parking place for which the Council sought arrangements under section 8(4)	PART 1(1)(g)(iv): The number of parking places in relation to which the Council started the statutory procedure under section 8(5).	PART 1(1)(h)(i): The number of such orders the making of which the Council started the statutory procedure in accordance with the 2009 Act	PART 1(1)(h)(ii): The number of parking places designated as being for use only by a disabled person's vehicle under such an order.
Aberdeen City	12	0	0	5	135
Aberdeenshire	0	0	0	0	0
Angus	0	0	0	1	152
Argyll & Bute	4	0	0	1	107
City of Edinburgh	0	0	0	78	63
Clackmannanshire	0	0	0	2	13
Comhairle nan Eilean Siar	0	0	0	0	0
Dumfries & Galloway	0	0	0	4	437
Dundee	0	0	0	1	70
East Ayrshire	0	0	0	1	101
East Dunbartonshire	0	0	0	0	0
East Lothian	0	0	0	0	0
East Renfrewshire	0	0	0	1	47
Falkirk	0	0	0	49	49
Fife	48	1	2	4	434
Glasgow	0	0	0	0	0
Highland	0	0	0	2	80
Inverclyde	0	0	0	5	109
Midlothian	0	0	0	0	0
Moray	0	0	0	1	285
North Ayrshire	0	0	0	1	208
North Lanarkshire	0	0	0	6	678
Orkney	0	0	0	0	0
Perth & Kinross	0	0	0	1	4
Renfrewshire	0	0	0	3	47
Scottish Borders	0	0	0	0	0
Shetland	0	1	0	11	11
South Ayrshire	0	0	0	5	418
South Lanarkshire	0	0	0	7	86
Stirling	0	0	0	7	16
West Dunbartonshire	0	0	0	1	384
West Lothian	0	0	0	1	69

4. **Schedule Part 2, paragraph 3(d):** ‘for each category of information under paragraph 1 that requires the reporting of a period, a table setting out the period reported by each local authority.’

	PART 1(1)(d)(v): Periods between identifying a parking place under section 5(2)(b) and starting the related procedure under section 5(3)(b)	PART 1(1)(h)(iii): In relation to each such order, the period between the start of the statutory procedure and the making of the order.
Aberdeen City	Approx. 6 Months	Approx. 12 months
Aberdeenshire	Approx. 6 Months	N/A
Angus	Within 12 Months	Approx. 12 months
Argyll & Bute	N/A	Over 7 months
City of Edinburgh	Approx. 2 - 5 months	Approx. 9 months
Clackmannanshire	Approx. 12 - 20 weeks	Approx. 6 months
Comhairle nan Eilean Siar	N/A	Over 12 Months
Dumfries & Galloway	Approx. 6 months	Approx. 6 months
Dundee	Within 6 months	Within 8 months
East Ayrshire	4-7 months	Approx. 4 Months
East Dunbartonshire	Two weeks	N/A
East Lothian	N/A	N/A
East Renfrewshire	Within 12 months	Within 12 Months
Falkirk	Approx. 10-20 weeks	Approx. 10-20 weeks
Fife	Approx. 3 - 9 months	Approx. 1-4 months
Glasgow	Over 12 month	Over 12 month
Highland	11 months average	10 - 24 months
Inverclyde	Within 6 months	Approx. 6 Months
Midlothian	Over 1 year	Over 12 Months
Moray	Approx. 18 months	Approx. 6 months
North Ayrshire	Within 12 months	7 months
North Lanarkshire	Varies	4 - 11 months
Orkney	Within 6 - 12 months	N/A
Perth & Kinross	6 months	12 months
Renfrewshire	Approx. 2 - 6 weeks	2 Years
Scottish Borders	Within 6 - 12 months	N/A
Shetland	Within 1 week	5 - 6 WEEKS
South Ayrshire	Within 12 Months	12 months maximum
South Lanarkshire	Within 9 months	Approx. 4 Months
Stirling	Within 2 months (Approx.)	Approx. 1 - 2 months
West Dunbartonshire	Approx. 12 Months	Approx. 10 weeks
West Lothian	48 days (average)	60 Weeks

5. **Schedule, Part 2, paragraph 3(e):** ‘for each category of information under paragraph 1 that requires the reporting of reasons, a summary of the reasons reported by each local authority.’

	PART 1(1)(d)(iii): Reasons for any decision under section 5(3)(a)	PART 1(1)(f)(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.
Aberdeen City	No vehicle registered at property; existing off-street parking.	N/A
Aberdeenshire	Suitable parking available; council has no powers - land not controlled by council; applicant deceased.	N/A
Angus	Did not meet criteria; no power –land not controlled by council; withdrawn.	N/A
Argyll & Bute	N/A	N/A
City of Edinburgh	Has off-street parking; existing disabled bays at property; private car park; no registered vehicle at address; no power - un-adopted area; to be used as ambulance drop off/pick up; no blue badge; alternative parking available.	N/A
Clackmannanshire	No Blue Badge; existing driveway; no parking issues at location; neighbour dispute.	N/A
Comhairle nan Eilean Siar	N/A	N/A
Dumfries & Galloway	Application withdrawn; roads outwith council jurisdiction; existing driveways.	N/A
Dundee	Existing off-street parking; on un-adopted roads; removed at family/applicant request; road safety/traffic management issue.	N/A
East Ayrshire	No power; has off-street parking; potential for driveway; no power; vehicle not registered at address.	N/A
East Dunbartonshire	N/A	N/A
East Lothian	N/A	N/A
East Renfrewshire	N/A	N/A
Falkirk	Application withdrawn; Alternative off-street parking available; no vehicle registered at address; private road; road safety and/or congestion issues; applications still being assessed.	N/A
Fife	Applicant deceased; application withdrawn; no suitable location; no car registered at address; has off-street parking - driveway, garage or lock up, etc.	N/A
Glasgow	N/A	N/A
Highland	Road safety issue; existing parking available; area of road not under council ownership.	N/A
Inverclyde	Existing off-street parking - driveway; private car park adjacent; applicant does not own a car; car parked elsewhere; no hold Blue Badge; waiting restrictions on road.	N/A
Midlothian	Has off-street parking - driveway.	N/A
Moray	N/A	Unable to make arrangements
North Ayrshire	N/A	N/A
North Lanarkshire	Road safety issues; suitable private driveway available.	N/A
Orkney	N/A	N/A
Perth & Kinross	Applications withdrawn or not returned.	N/A
Renfrewshire	Land in private ownership; parking restrictions in place.	Land in private ownership. Council offer declined by landowner.
Scottish Borders	Private Land; driveways; application withdrawn; no Blue Badge.	N/A
Shetland	N/A	N/A
South Ayrshire	Existing off-street parking available; no car; applicant moved home/ deceased.	N/A
South Lanarkshire	No car; no suitable location; existing driveway; can create a driveway; sheltered housing resident; applicant owns a lock-up; no Blue Badge; private car park; private road; temporary Blue Badge.	N/A
Stirling	N/A	N/A
West Dunbartonshire	N/A	Unable to make arrangements.
West Lothian	Council has no powers; location not convenient/ suitable.	Unable to make arrangements.

	PART 1(1)(f)(iv): The reasons why it was unsuccessful in making any such arrangements.	PART 1(1)(g)(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.
Aberdeen City	N/A	N/A
Aberdeenshire	N/A	N/A
Angus	N/A	N/A
Argyll & Bute	N/A	N/A
City of Edinburgh	No developer has expressed an interest in enforcing disabled persons' parking places.	A lack of interest from developers/businesses; no developer has approached the council requesting for a bay to be enforced under the DPPP Act.
Clackmannanshire	N/A	N/A
Comhairle nan Eilean Siar	N/A	N/A
Dumfries & Galloway	N/A	N/A
Dundee	N/A	N/A
East Ayrshire	N/A	No work has been undertaken by the council with respect to Section 8 duties.
East Dunbartonshire	The developments mentioned under section 7 have not been constructed as yet.	N/A
East Lothian	N/A	N/A
East Renfrewshire	N/A	N/A
Falkirk	N/A	N/A
Fife	N/A	N/A
Glasgow	Where arrangements were sought, in each case the developer or their agent expressed no interest.	N/A
Highland	N/A	N/A
Inverclyde	N/A	N/A
Midlothian	N/A	N/A
Moray	Developer satisfied with its own proposals.	Unable to make arrangements.
North Ayrshire	N/A	N/A
North Lanarkshire	N/A	N/A
Orkney	N/A	N/A
Perth & Kinross	N/A	N/A
Renfrewshire	N/A	N/A
Scottish Borders	N/A	N/A
Shetland	N/A	N/A
South Ayrshire	N/A	N/A
South Lanarkshire	N/A	N/A
Stirling	N/A	N/A
West Dunbartonshire	Private landowner declined to participate in the process.	Land not in Council ownership.
West Lothian	N/A	N/A

	PART 1(1)(g)(iii): The reasons why it was unsuccessful in making any such arrangements.	PART 1(1)(h)(iv): In respect of each case in which it started the statutory procedure but did not make the order the reasons why not.
Aberdeen City	N/A	Statutory process was not completed within the reporting year.
Aberdeenshire	N/A	N/A
Angus	N/A	N/A
Argyll & Bute	N/A	On going issues with staffing levels and mapping systems for generating plans.
City of Edinburgh	N/A	Objections were received; process was not concluded within the reporting year.
Clackmannanshire	N/A	N/A
Comhairle nan Eilean Siar	N/A	N/A
Dumfries & Galloway	N/A	N/A
Dundee	N/A	Deletion of bay at family / applicant request; application for place on an un-adopted road surface.
East Ayrshire	N/A	N/A
East Dunbartonshire	N/A	N/A
East Lothian	N/A	N/A
East Renfrewshire	N/A	The statutory procedure was not completed within the reporting year.
Falkirk	N/A	N/A
Fife	N/A	N/A
Glasgow	No interest in making arrangements has yet been received.	N/A
Highland	N/A	The statutory procedure was not completed within the reporting year.
Inverclyde	N/A	The statutory procedure was not completed within the reporting year.
Midlothian	N/A	No orders started in reporting year.
Moray	Private land owners declined to participate.	N/A
North Ayrshire	N/A	N/A
North Lanarkshire	N/A	N/A
Orkney	N/A	N/A
Perth & Kinross	N/A	N/A
Renfrewshire	N/A	Land in private ownership; landowners declined.
Scottish Borders	N/A	N/A
Shetland	Private land owner - not interested.	N/A
South Ayrshire	N/A	N/A
South Lanarkshire	N/A	N/A
Stirling	N/A	N/A
West Dunbartonshire	N/A	N/A
West Lothian	N/A	N/A

6. Schedule, Part 1, paragraph 2: *‘A report prepared by a local authority under section 11(1)(a) may contain any other information about its performance of its functions in relation to parking places for disabled persons’ vehicles during the reporting period that the authority considers appropriate.’*

Whilst some local authorities did not report any additional information by reference to this paragraph of schedule 2 to the 2009 Act, those who did reported a range of information including clarifications on what activity took place in performing its duties under the Act or what activities are planned for the next reporting year.

17 out of the 32 local authorities did not report any ‘other information’ under this paragraph. Those local authorities are:

Aberdeenshire Council; Angus Council; Clackmannanshire Council; Dumfries & Galloway Council; East Ayrshire Council; East Lothian Council; East Renfrewshire Council; Glasgow City Council; Highland Council; Moray Council; North Ayrshire Council; North Lanarkshire Council; Orkney Council; Perth & Kinross Council; South Lanarkshire Council; Stirling Council; and West Dunbartonshire Council.

The following information has been provided by the local authorities mentioned below:

Aberdeen City Council:

- Aberdeen City Council report that some disabled parking places it reported as having starting the process in the 2012-13 annual report, were made enforceable in the 2013-14 reporting year.

Argyll & Bute Council:

- Argyll & Bute Council report that it has not started the procedure under section 5(3)(b) of the 2009 Act due to limited resources.

City of Edinburgh Council:

- City of Edinburgh Council report that it receives applications throughout the reporting period and expects some that have started the process in the 2013-14 reporting year to complete in the 2014-15 reporting year.

Comhairle nan Eilean Siar

- Comhairle nan Eilean Siar report that a Disabled Persons Parking Places report was issued to the Council in September 2013 which updated members on progress to date. The report highlighted the low local uptake on promoting disabled parking places by way of an traffic road order.

Dundee City Council:

- Dundee City Council reported that information contained in its report was in draft format due to the Council’s Committee receiving an earlier version.

East Dunbartonshire Council:

- East Dunbartonshire Council reported that it expects to consolidate relevant traffic regulation orders into one single order for the local authority area. It intends to amend this order with future changes.
- The Council also reported that it had completed the legal decriminalised parking enforcement process, resulting in enforcement responsibilities transferring from Police Scotland to the Council.

Falkirk Council:

- Falkirk Council report that it will undertake duties under section 8 of the 2009 Act for the next reporting year.

Fife Council:

- Fife Council report that it had consolidated its disabled parking places by way of an order in the reporting year.

Inverclyde Council:

- Inverclyde Council report that some applications received in the 2013-14 reporting year will complete the process in the 2014-15 reporting year.

Midlothian Council:

- Midlothian Council report that the process for some disabled parking place applications was delayed due to objections and that the process for approx. 60 places will start in the 2014-15 reporting year.

Renfrewshire Council:

- Renfrewshire Council report that it has compiled up to date information on disabled parking places in its area with a number of premises being identified as having off-street disabled parking places. The Council will seek to make arrangements as soon as resources are available.

Scottish Borders Council:

- The Scottish Borders Council report that it has begun the statutory procedure for the making of an order in the reporting year 2014-15.

Shetland Islands Council:

- Shetland Islands Council report that local planning consent regulations do not stipulate a set number of disabled parking spaces in new developments. The Council are unable to enter agreements due to a lack of interest from developers.

South Ayrshire Council

- South Ayrshire report that it has not undertaken work relevant to Section 8 due to limited resources.

West Lothian Council:

- West Lothian Council report that it seeks to make arrangements with private landowners every two years. It seeks to make arrangement with approx.

2,500 landowners, however, no arrangements have been successful to date. The Council will seek to make arrangements in the 2014-15 reporting year.

7. **Schedule Part 2, paragraph 4:** *'A report prepared by the Scottish Ministers under section 12(1)(a) may contain any other information about the performance by local authorities of their functions in relation to parking places for disabled persons' vehicles during the reporting period that the Scottish Ministers consider appropriate'*

The primary powers and duties of local authorities to designate suitable and adequate parking facilities (including disabled parking places) in their area are contained in the Road Traffic Regulation Act 1984 ("the 1984 Act").

The Disabled Persons' Parking Places (Scotland) Act 2009 ("the 2009 Act") places additional duties upon local authorities in relation to the provision of disabled persons' parking places. Those duties require local authorities to promote the proper use of disabled parking places and to utilise their powers under the 1984 Act in specified circumstances. It is for each local authority to determine what their duties under the 1984 and 2009 Acts require of them.

Scottish Ministers have committed to review the reporting requirements under sections 11 and 12 of the 2009 Act. The review will consider whether guidance is required to improve reporting under the 2009 Act (by local authorities and consequently by Scottish Ministers), as well as whether regulations modifying the reporting requirements are desirable. The outcome of this review will be circulated to local authorities in early 2015, with a view to local authorities being kept apprised of proposed changes in advance of the end of the reporting year. That will allow local authorities to maintain an up to date understanding of how information should be assembled for 2014/15 reports.

For reporting year 2013-2014, a number of local authorities did not report any activity under sections 7 and 8 of the 2009 Act relating to off-street disabled parking places. The Scottish Ministers' review on reporting requirements will consider this.

Local authorities are required under section 11(4) of the 2009 Act to perform their reporting duties within three months of the last day of the reporting period. Discussing draft reports with the Scottish Government at an early stage helps to identify issues and ensure this requirement is achieved.

All 32 local authorities provided information for this report and cooperated fully. Discussion between local authorities and the Scottish Government ensured that information contained in this report is consistent with the requirements as set out in the schedule to the 2009 Act.

Transport Scotland
On behalf of Scottish Ministers