
TO: Communities, Housing and Planning Policy Board

ON: 18 January 2022

REPORT BY: Director of Communities and Housing Services & Director of Environment and Infrastructure Services

HEADING: Parking in Disabled Bays in Renfrewshire

1. Summary

- 1.1. The designation of disabled parking bays (as prescribed by the Disabled Persons Parking Places (Scotland) Act 2009) and the subsequent enforcement of bays remain a priority for Renfrewshire Council alongside other illegal parking issues.
- 1.2. At the Council meeting on 24 June 2021, a motion was proposed and agreed by the Council requiring the following action:

“Renfrewshire Council agrees to increase checks by wardens on the use of Disabled Bays throughout Renfrewshire, and to assess the number of non-badge holders who are found to be using them.

It was also agreed that an update on the issue be submitted to a future relevant Board meeting.”

- 1.3. This paper outlines the process undertaken to designate a disabled parking bay and subsequent enforcement by the Renfrewshire Parking Attendants/Wardens.
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2. Recommendations

- 2.1. It is recommended that members of the Communities, Housing and Planning Policy Board:
- a) note the work undertaken by both Environment and Infrastructure Services and Communities and Housing Services in relation to the designation and enforcement of disabled parking bays.
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3. Background

- 3.1. Renfrewshire Council has the power to establish a Traffic Regulation Order (TRO) to designate a bay for parking by people with a Disabled Parking Blue Badge. The Traffic Regulation Order, if made, is enforceable and anyone parking in the bay without a Disabled Parking Blue Badge, may get a Penalty Charge Notice (PCN). The Traffic Regulation Order and enforcement is done under the Disabled Persons' Parking Places (Scotland) Act 2009.
- 3.2. For a Disabled Parking bay to be enforceable, it requires to have an approved Traffic Regulation Order, appropriate signage and to be uploaded onto the Parking Attendant's devices. Renfrewshire Council doesn't undertake patrols with regards to parking on private/business land e.g. disabled bays in supermarkets etc, unless an appropriate Traffic Regulation Order is in place. Renfrewshire Council has a duty to check on an annual basis if any private car park owners wish for a Traffic Regulation Order to be established and enforced in the future.
- 3.3. The majority of enforceable disabled bays are located in residential communities across Renfrewshire and work well without regular checks being required. Where issues arise, these are responded to by Wardens and enforcement action is taken if required.
- 3.4. Any person with a Disabled Parking Blue Badge, can park in any Disabled Parking Bay i.e. the bays are not issued to addresses or individuals, therefore whilst it may have been located outside a residential address to assist a local resident, anyone else with a Disabled Parking Blue Badge is entitled to use that space.
- 3.5. Disabled bays in Town Centre locations which have a TRO are regularly checked for compliance and enforcement action taken where relevant.
- 3.6. Number of disabled bays with TROs:
 - Residential parking bays outside houses 1,274
 - The Council typically receives applications for around 150 disabled bays per year and removes around 15. The changes are included in an annual traffic order which collects all of that year's applications together prepared by Environment and Infrastructure Services.
 - Town centre locations – There are 41 on-street bays within Paisley and 7 on street within Renfrew that have a TRO and an additional 30 bays within Paisley car parks that have a TRO and are enforceable.
 - West College Campus and UWS have 25 enforceable disabled bays

3.7. With regards to enforcement, there are 2 different offences for parking in a disabled bay:

- Code 40 - Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner (on-street)
- Code 87 - Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner (off-street car parks)

3.8. Over the last 5 years, the number of Penalty Charge Notices issued for these offences are:

	Code 40 (on street)	Code 87 (off street)
2017	228	0
2018	267	38
2019	324	40
2020	194	10
2021	352	5

3.9. For many years, the Disabled Parking Bays within residential areas were not enforceable and were for courtesy only as TROs had never been sought for these bays. These bays were known as advisory disabled bays. Most people will not park in a disabled bay whether there is a TRO or not, therefore, in many instances this worked to allow access to properties.

3.10. If complaints were received, this was dealt with informally as no PCN could be issued.

3.11. At the time of the introduction of the Disabled Persons' Parking Places (Scotland) Act 2009 Environment & Infrastructure Services collected all the known advisory disabled bays together into a TRO. Every year since, Environment and Infrastructure Services has assessed requests for new disabled bays and made new TROs for those bays, to add to the original. This now makes them legally enforceable should someone park in them without an appropriate Disabled Parking Blue Badge. Regular patrols are not carried out of these bays as in the main compliance is high – however where issues are raised enforcement patrols can be carried out.

Implications of the Report

1. Financial – None

2. HR & Organisational Development – None

3. Community Planning

Renfrewshire is Safe – By ensuring that disabled parking bays are marked and designated and then enforced appropriately ensures that anyone that lives, works or visits Renfrewshire and has a blue badge can park in an appropriate bay to ensure access.

4. Legal – None

5. **Property/Assets** – None
 6. **Information Technology** – None
 7. **Equality & Human Rights** -
 8. **Health & Safety** – None
 9. **Procurement** – None
 10. **Risk** – None
 11. **Privacy Impact** – None
 12. **CoSLA Policy Position** – N/A
 13. **Climate Risk** – N/A
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List of Background Papers

- I. Council Meeting – 24 June 2021
 - II. Notice of Motion 1 by Councillors McCartin and Andy Doig
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