

Report

4

Report to:	Equal Opportunities Forum
Date of Meeting:	16 March 2010
Report by:	Executive Director (Corporate Resources)

Subject:	"Be fair - or be fined" Blue Badge Parking Campaign
----------	--

1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise the Forum of the public awareness campaign to tackle misuse of disabled parking spaces and blue badges

2. Recommendation(s)

2.1. The Forum is asked to approve the following recommendation(s):-

- (1) that the content of the report be noted.

3. Background

3.1. On 1 October 2009, the Disabled Persons' Parking (Scotland) Bill introduced by Jackie Baillie MSP became law.

3.2. The Bill makes all disabled persons' parking places legally enforceable, preventing the misuse of such parking places by those not entitled to them.

3.3. Key points of the Bill are as follows:-

- ◆ makes disabled persons' parking places legally enforceable whether on-street or off-street
- ◆ every local authority must undertake a one-off audit of all disabled persons' parking places within their area
- ◆ a local authority must promote the proper use of parking places that are designated for use only by disabled persons
- ◆ a duty on every local authority to convert all appropriate advisory on-street disabled persons' parking places into enforceable parking 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 and where they cannot obtain such agreement, to continue to seek such agreement at least once every 2 years
- ◆ disabled persons' parking places should only be used by Blue Badge holders
- ◆ an authority will no longer have the power to designate an advisory disabled persons' parking place

3.4. Official figures for the abuse of on-street disabled persons' parking places do not exist, however, the Baywatch Campaign found that in more than a third of car parks no accessible bays were free for disabled shoppers because of abuse.

- 3.5. In South Lanarkshire over the 4 and a half year period that the Council has been enforcing parking, over 3,000 penalty charge notices (PCN's) have been issued to vehicles parked illegally within on-street disabled persons' parking places. This represents 800 PCN's per year and shows the scale of abuse in the South Lanarkshire area, particularly as this only represents abuse of enforceable disabled persons' parking places.
- 3.6. Over the past few years approximately 100 on-street disabled persons' parking bays in our town centres, and most popular car parks, have already been regulated for the sole use of vehicles displaying a valid "blue" badge.
- 3.7. In preparation for the implementation of the Bill, the Parking Unit carried out an audit which showed that there are 861 advisory on-street disabled persons' parking places associated with individual residential properties and an estimated 200 advisory off-street Council controlled disabled persons' parking places. Work has now been carried out by the Unit to clarify the number of Council car parks related to leisure facilities, community halls, schools, etc, where there is a public car parking provision, with disabled persons' parking bays, which will require regulation. All will now be regulated.
- 3.8. In relation to bays outside residential properties, all 861 householders were written to and the Parking Unit received over an 83% response from these homes. The responses indicate that approximately one third of the bays are no longer required and, as such, an assessment will be made as to whether the bay can be used for another property in the street or whether it will be removed. This work has to be carried out by October 2010 to ensure that the process of regulation can begin. Regulation of a bay takes a minimum of 6 months.
- 3.9. The Parking Unit now has a team of 3 assistants who are conducting audits across the area to identify where spaces may not be known about and to make contact with the householders where we have as yet received no response.
- 3.10. Part of the follow-up work with homes that identify a space which is no longer required will be to write to all householders asking for badges that are no longer required or are out-of-date to be returned so that they can be destroyed.
- 3.11. The Parking Unit manager has also begun negotiations with public sector and private organisations within South Lanarkshire to identify and regulate disabled persons' parking places that they have. NHS Lanarkshire has agreed to the regulation of all such bays in its car parks.

4. Public Awareness Campaign

- 4.1. When launching her Bill, Jackie Baillie quoted a member of the public who said to her "if you want my disabled parking space then please have my disability." This is very much behind South Lanarkshire's message asking members of the public to "Be fair" and understand that the high levels of abuse and misuse ruin many disabled peoples' lives as they cannot carry out simple day-to-day tasks such as going to the shops or visiting the bank.
- 4.2. To follow up on the "Be fair" campaign which we ran in November 2008 and to continue to ensure that we are proactive in our public sector equality duty of promoting positive attitudes, we are refreshing the message in line with the new legislation. The message we want to say to all is "Be fair – or be fined".

- 4.3. The aim of the campaign is to continue to highlight the serious problem of abuse of disabled persons' parking places and the distress and limitations this is placing on members of the community who legitimately need these spaces to enable them to go about their day-to-day lives. Without availability of spaces people can be and are restricted from working or carrying out essential tasks such as food shopping. The campaign yet again draws on personal stories and highlights the fact that at any point anyone may be in a situation where, due to ill health or an accident, they have to apply for a Blue Badge and will require the use of these spaces.
- 4.4. The campaign will also highlight the serious issues surrounding the misuse and abuse of Blue Badges. This means continuing to educate both those who have and are entitled to a Blue Badge, but do not understand the regulations for using it, and those in the community who have either purchased a fraudulent badge or use the badge of a family member without them present so as to misuse the parking places.
- 4.5. The campaign will begin on 22 March 2010 with articles going out in the local press and the South Lanarkshire Reporter. Posters and leaflets will be provided to all Council facilities and will also be distributed to local supermarkets and health establishments. There will be billboards in key locations such as shopping centres and train stations. Finally, from July until December, the campaign will be highlighted on the back of pay and display parking tickets. The aim is to ensure that the message stays with people and that we put it across via many different means.
- 4.6. The campaign will yet again be supported by South Lanarkshire Disability Partnership and Access Panel, as well as Strathclyde Police and the Procurator Fiscal's office.

5. Employee Implications

- 5.1. None.

6. Financial Implications

- 6.1. The cost of the campaign to include press advertising, billboards, bus adverts, radio coverage, leaflets and publicity materials will be met from existing budgets.

7. Other Implications

- 7.1. None

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

- 8.2. Consultation was carried out with the South Lanarkshire Disability Partnership and the South Lanarkshire Access Panel.

Robert McIlwain
Executive Director (Corporate Resources)

3 March 2010

Link(s) to Council Objectives

- ◆ People focused
- ◆ Working with and respecting others
- ◆ Tackling disadvantage and deprivation

Previous References

Equal Opportunities Forum – 17 March 2008

List of Background Papers

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Gill Bhatti, Employee Development and Diversity Manager

Ext: 5604 (Tel: 01698 455604)

E-mail: gill.bhatti@southlanarkshire.gov.uk