

Item: 8

Development and Infrastructure Committee: 10 November 2020.

Disabled Persons' Parking Places.

Report by Executive Director of Development and Infrastructure.

1. Purpose of Report

To consider introducing an order to promote the use of on-street disabled persons' parking places.

2. Recommendations

The Committee is invited to note:

2.1.

That the Disabled Persons' Parking Places (Scotland) Act 2009, which came into force on 1 October 2009, permits the Council to assess requests for new on-street disabled parking spaces.

2.2.

That the Council has received eight requests for the provision of on-street disabled parking places at the following locations:

- 57 Meadowbank, Kirkwall.
- 16 Craigie Crescent, Kirkwall.
- 30/32 Alfred Street, Stromness.
- Dundas Street, adjacent to 2 Gray's Noust, Stromness.
- Pickaquoy Loan, adjacent to 1 Pickaquoy Place, Kirkwall.
- 52 Dundas Street, Stromness.
- Orkney Club, Harbour Street, Kirkwall.
- 1 Earl Thorfinn Street, Kirkwall

2.3.

That the requests, referred to at paragraph 2.2 above, are all deemed to be valid and that advisory disabled on-street parking places have been installed, as detailed in Appendix 1 to this report.

2.4.

The proposal to introduce a traffic regulation order in respect of the disabled on-street parking bays referred to at paragraph 2.3 above.

It is recommended:

2.5.

That a traffic regulation order be introduced to provide for disabled on-street parking bays at the locations referred to at paragraph 2.3 above.

2.6.

That powers be delegated to the Executive Director of Development and Infrastructure to make the relevant Traffic Regulation Order, should no adverse comments be received during the consultation process, in respect of the proposal referred to at paragraph 2.5 above.

3. Background

3.1.

The Disabled Person's Parking Places (Scotland) Act 2009 permits the Council to assess requests for new on-street disabled parking spaces.

3.2.

Individuals or organisations can apply to the Council for a disabled persons' street parking place from which there is convenient access to their address. To qualify, the person or organisation must hold a disabled person's badge and have a suitable vehicle registered at their address.

3.3.

On receiving an application from a qualifying person, the Council must decide whether it is possible to identify a suitable street parking place in its area from which there is convenient access to the person's address. The Council must then decide whether it has power to make a parking order, having regard to its statutory duties. If the Council decides not to proceed with making an order for whatever reason, it must provide the person making the application with reasons for its decision.

3.4.

The Council is permitted to create an advisory disabled street parking place while the statutory process to promote an order is being undertaken. If the outcome of the statutory procedure is that no order is made, then the Council must remove any road-markings and signposts indicating that it is a disabled parking place.

3.5.

Enforcement of on-street parking is controlled by Police Scotland.

4. Proposals

4.1.

The Executive Director of Development and Infrastructure has received eight applications requesting that on-street disabled parking bays be provided for convenient access at the following locations:

- 57 Meadowbank, Kirkwall.
- 16 Craigie Crescent, Kirkwall.
- 30/32 Alfred Street, Stromness.
- Dundas Street, adjacent to 2 Gray's Noust, Stromness.
- Pickaquoy Loan, adjacent to 1 Pickaquoy Place, Kirkwall.
- 52 Dundas Street, Stromness.
- Orkney Club, Harbour Street, Kirkwall.
- 1 Earl Thorfinn Street, Kirkwall.

4.2.

The applications were all deemed to be from qualifying persons and consequently on-street advisory parking places were installed on the locations shown on the maps attached as Appendix 1 to this report.

4.3.

It is therefore recommended that the statutory consultation process be undertaken on the proposals. Further, should no objections be received, it is proposed that powers be delegated to the Executive Director of Development and Infrastructure to introduce the appropriate traffic regulation order to provide disabled on-street parking bays at the locations referred to at section 4.1 above.

5. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 2 to this report.

6. Corporate Governance

This report relates to governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

7. Financial Implications

7.1.

As Roads Authority, the cost of any on-street or off-street parking place orders, estimated at about £1,000 each, will be borne by the Council under the relevant section of the Roads revenue budget.

7.2.

The cost to provide the appropriate signs and markings for the new bays will be in the region of £400 per bay, a total of £3,200, which will be borne by the Council under the relevant section of the Roads revenue budget.

8. Legal Aspects

8.1.

The Disabled Person's Parking Places (Scotland) Act 2009 ("the Act") came into force on 01 October 2009. The Act places a duty on local authorities to promote proper use of parking places in its area for disabled persons' vehicles.

8.2.

If the Council wishes to introduce new parking restrictions, a Traffic Regulation Order under in terms of the Road Traffic Regulation Act 1984 must first be made. The statutory procedure which must be followed includes consultation, and advertisement etc. Introducing a new Traffic Regulation Order to enable the use of parking places for disabled persons' vehicles will assist the Council in discharging its duty under the Act.

9. Contact Officers

Gavin Barr, Executive Director of Development and Infrastructure, Email gavin.barr@orkney.gov.uk

Darren Richardson, Head of Infrastructure and Strategic Projects, Email darren.richardson@orkney.gov.uk

John Wrigley, Roads and Environmental Services Manager, Email john.wrigley@orkney.gov.uk

Kenneth Roy, Roads Support Manager, Email kenny.roy@orkney.gov.uk

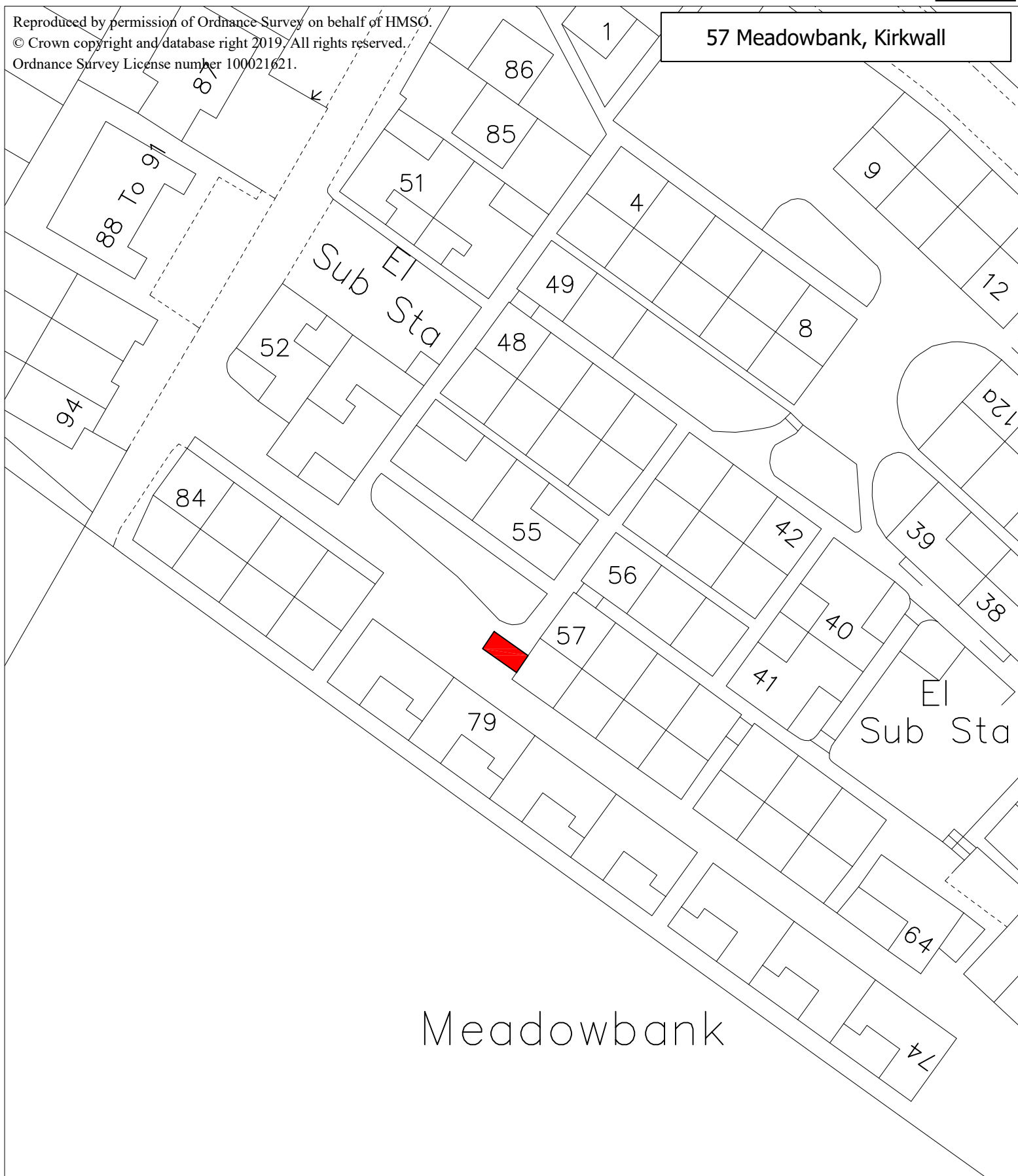
10. Appendices

Appendix 1: Location Plans.

Appendix 2: Equality Impact Assessment.

57 Meadowbank, Kirkwall

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File Ref. R3.27.11	Drg. No. DPPP-01
Revision	
Date 24 July 2019	Drawn <i>M.Wylie</i>
Scale NTS	Checked <i>K.D.Roy</i>

ROADS SERVICES

DEVELOPMENT AND INFRASTRUCTURE
 Council Offices, Kirkwall
 Orkney, KW15 1NY
 tel (01856) 873535
 fax (01856) 876094

Executive Director :-
 Gavin Barr
 BSc Hons MSc URP MRTPI



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16 Craigie Crescent, Kirkwall



File Ref. R3.27.11	Drg. No. DPPP-02
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DEVELOPMENT AND INFRASTRUCTURE
 Council Offices, Kirkwall
 Orkney, KW15 1NY
 tel (01856) 873535
 fax (01856) 876094

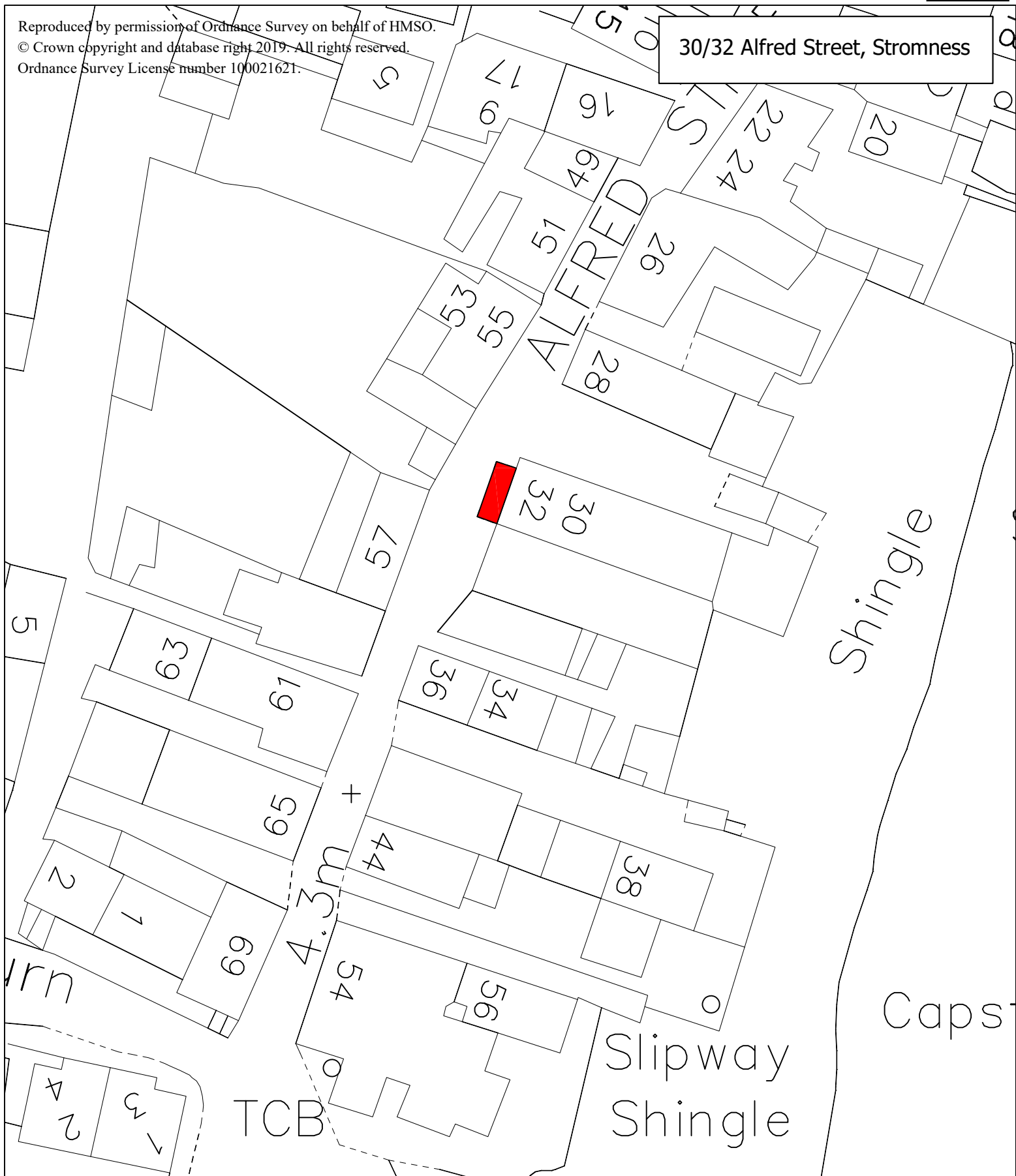
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30/32 Alfred Street, Stromness



File Ref. R3.27.11	Drg. No. DPPP-03
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DEVELOPMENT AND INFRASTRUCTURE
 Council Offices, Kirkwall
 Orkney, KW15 1NY
 tel (01856) 873535
 fax (01856) 876094

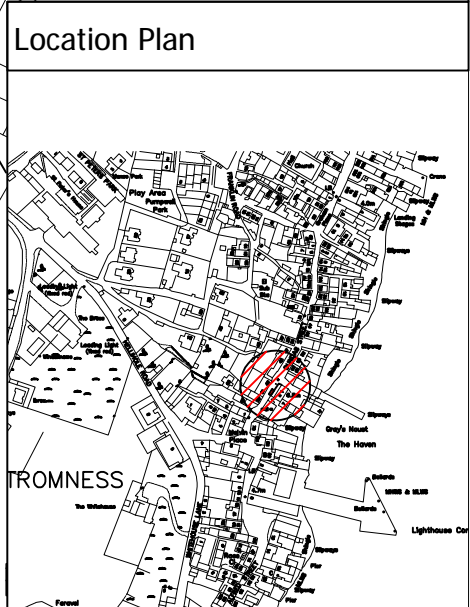
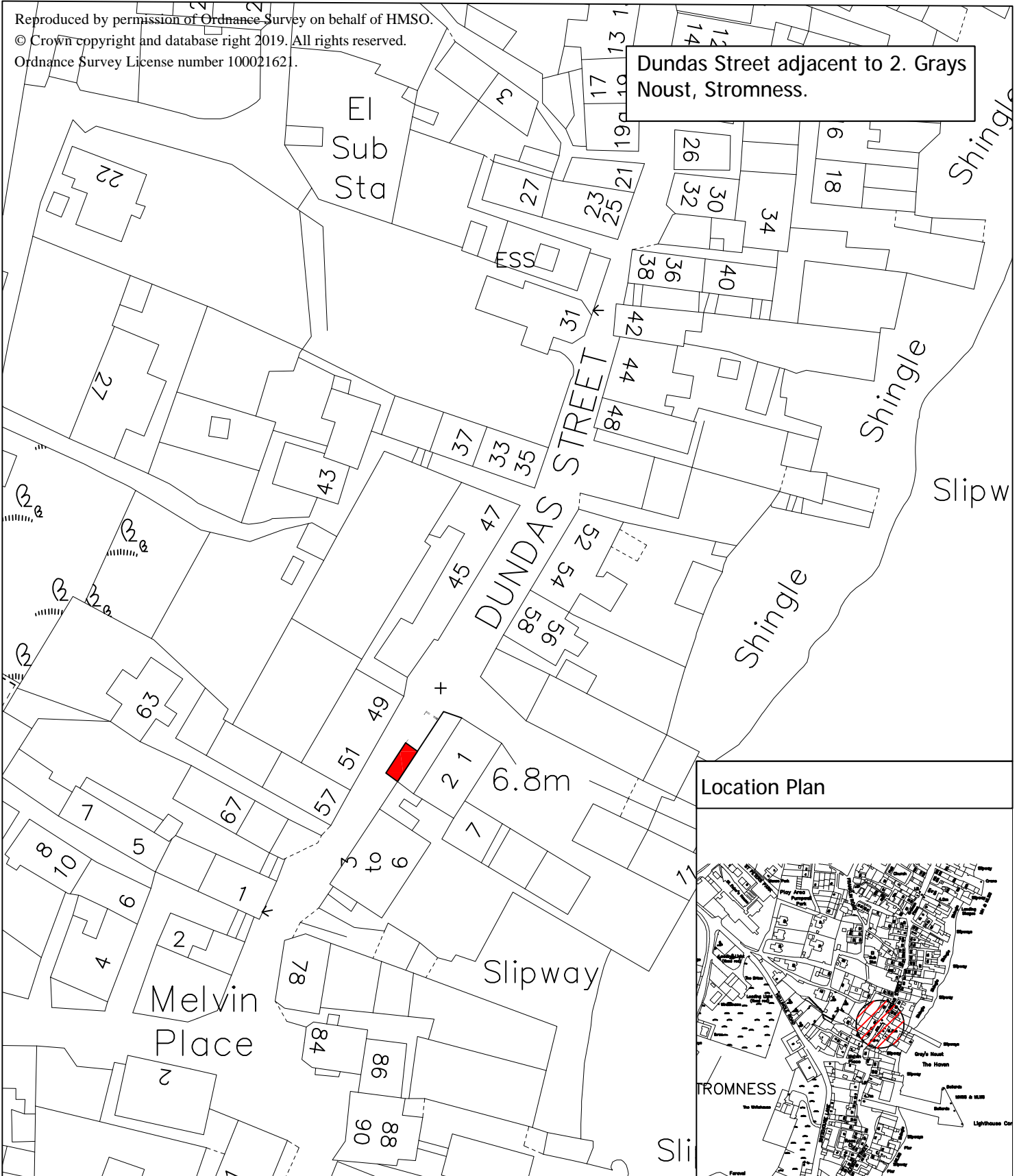
Executive Director :-
 Gavin Barr
 BSc Hons MSc URP MRTPI



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Dundas Street adjacent to 2. Grays Noust, Stromness.



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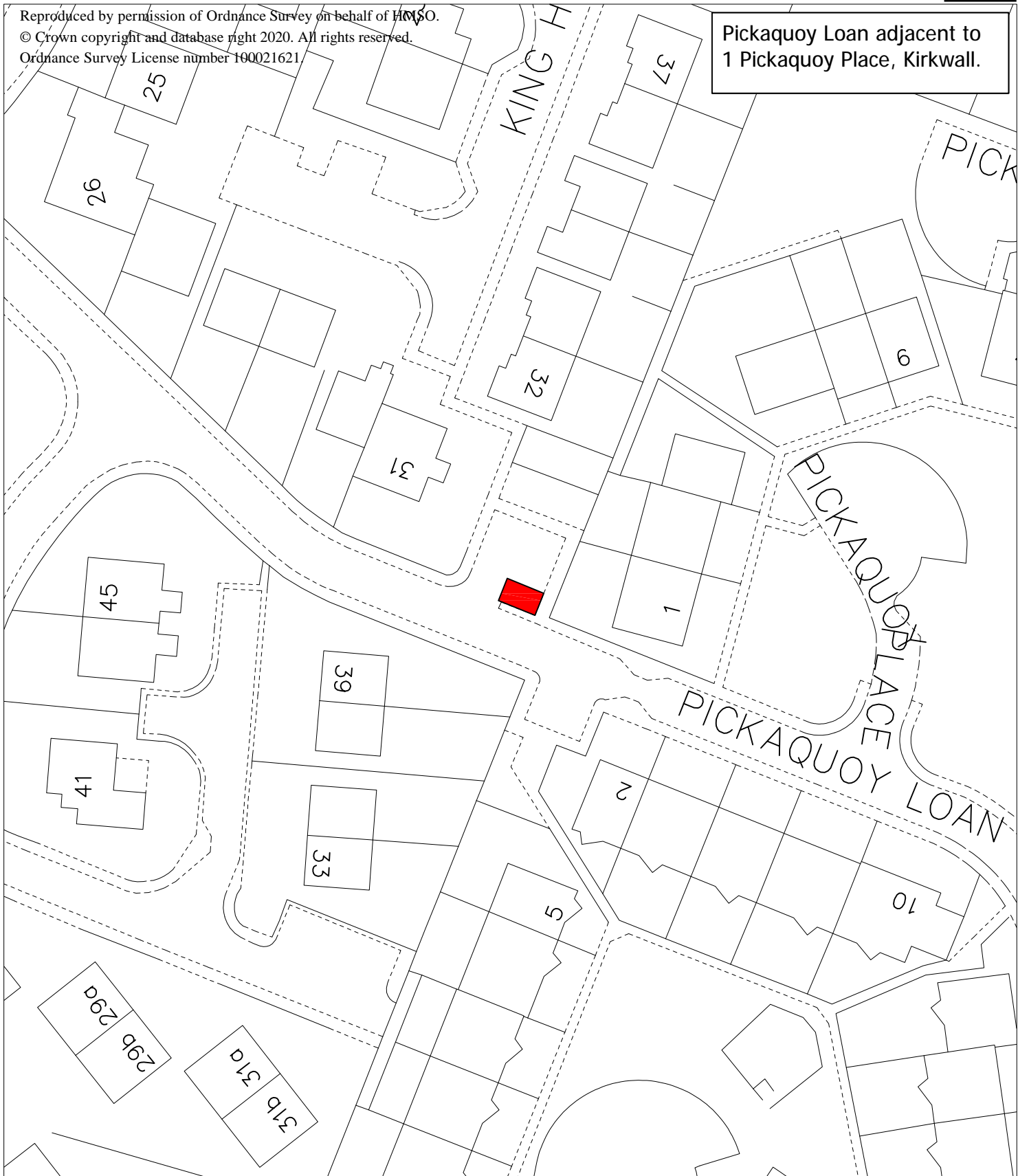
DEVELOPMENT AND INFRASTRUCTURE
 Council Offices, Kirkwall
 Orkney, KW15 1NY
 tel (01856) 873535
 fax (01856) 876094

Executive Director :-
 Gavin Barr
 BSc Hons MSc URP MRTPI



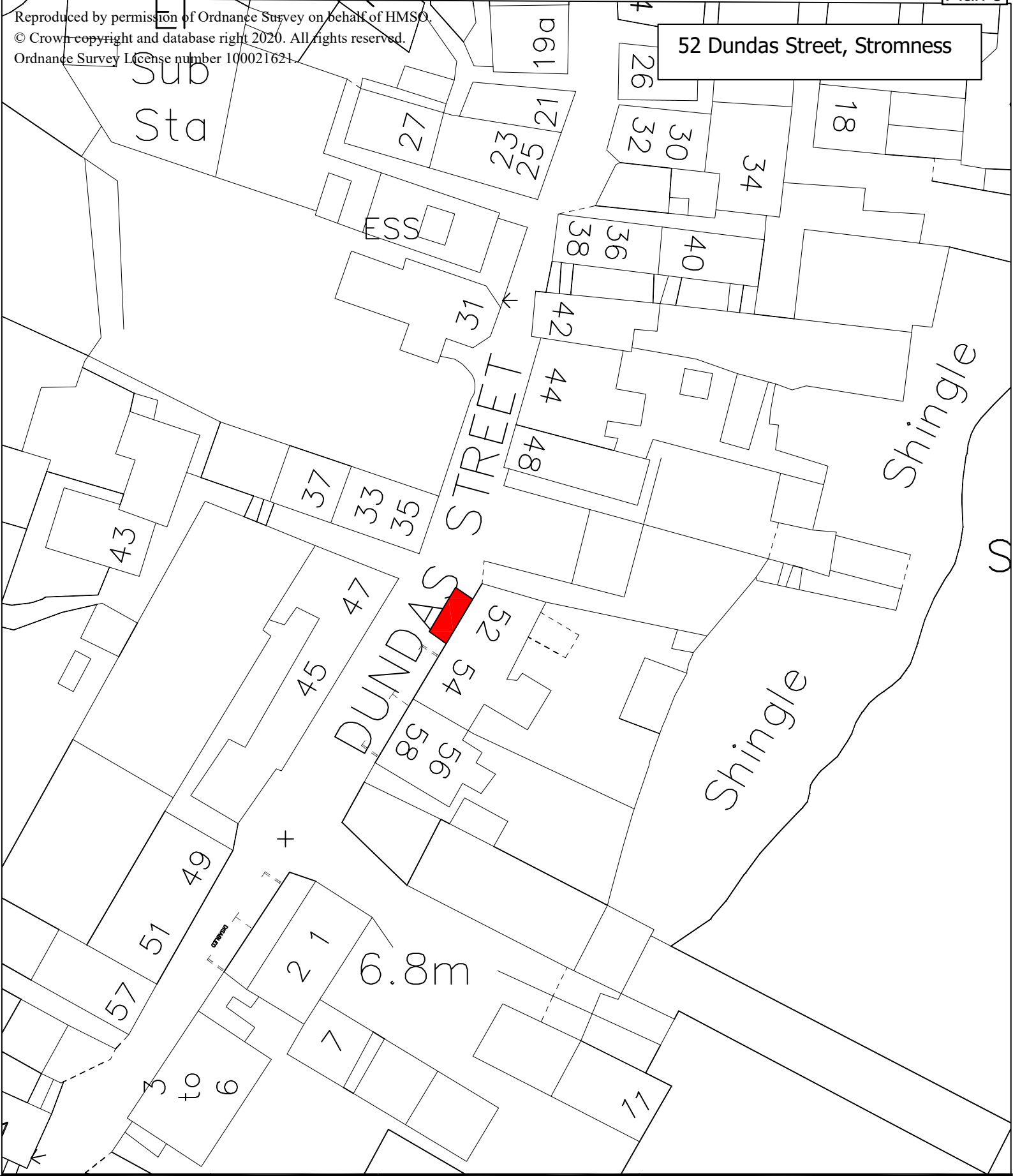
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Pickaquoy Loan adjacent to
 1 Pickaquoy Place, Kirkwall.

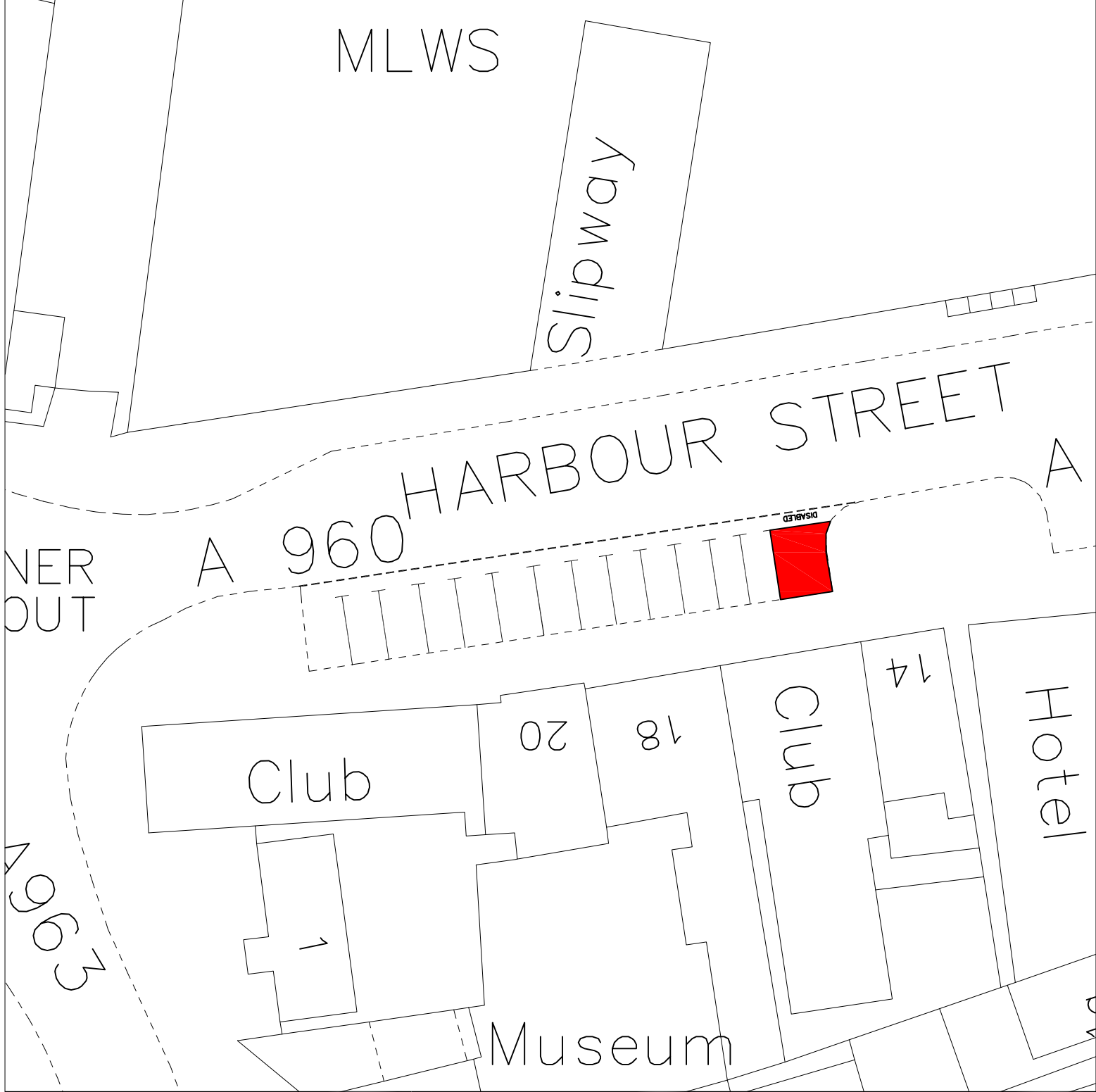


File Ref. R3.27.11	Drg. No. DPPP-05	<h1>ROADS SERVICES</h1>	<p>DEVELOPMENT AND INFRASTRUCTURE Council Offices, Kirkwall Orkney, KW15 1NY tel (01856) 873535 fax (01856) 876094</p> <p>Executive Director :- Gavin Barr BSc Hons MSc URP MRTPI</p> 
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No.16, Harbour Street, Kirkwall



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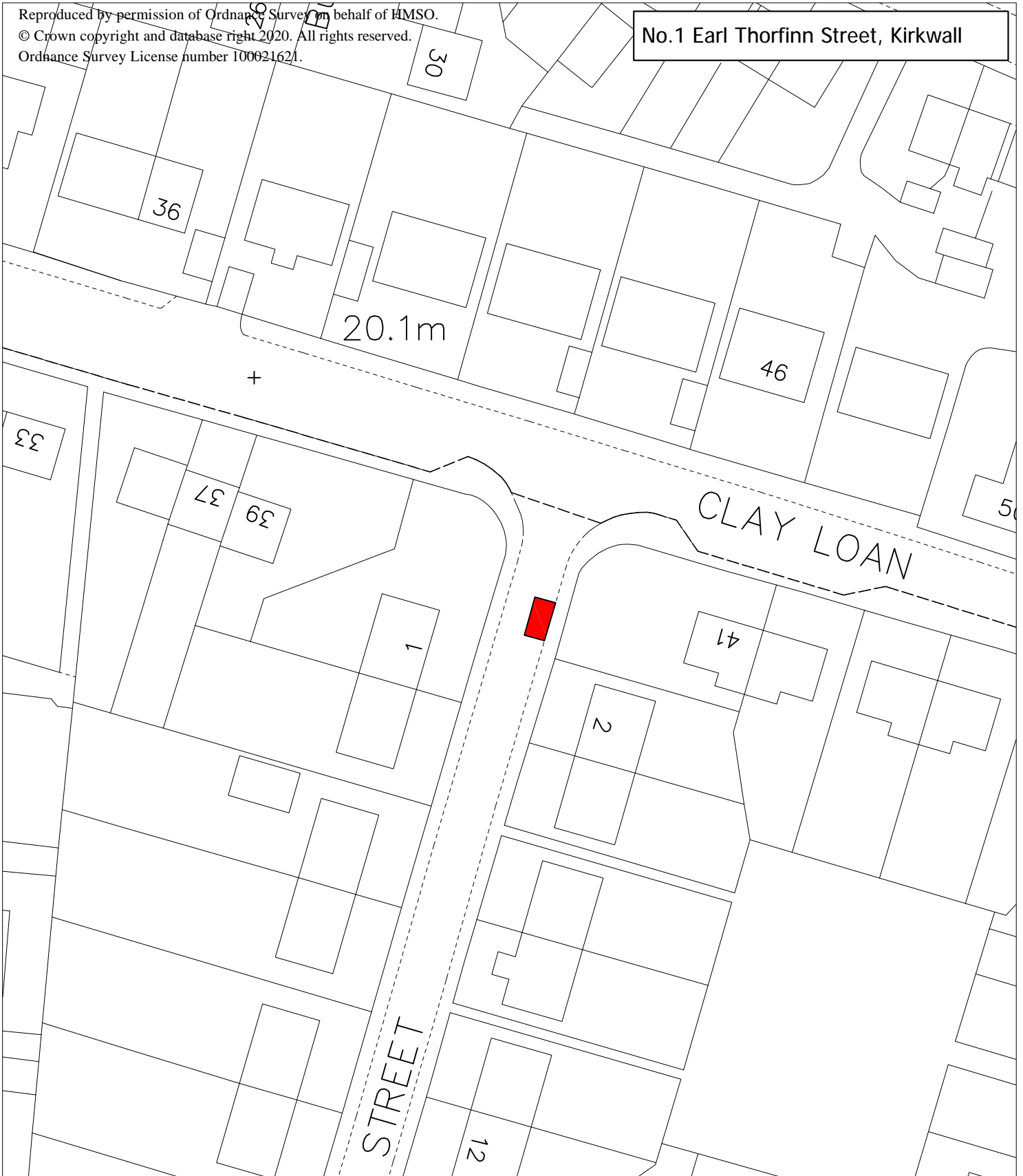
DEVELOPMENT AND INFRASTRUCTURE
 Council Offices, Kirkwall
 Orkney, KW15 1NY
 tel (01856) 873535
 fax (01856) 876094
 Executive Director :-
 Gavin Barr
 BSc Hons MSc URP MRTPI



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No.1 Earl Thorfinn Street, Kirkwall



File Ref. R3.27.11	Drg. No. DPPP-08	ROADS SERVICES	DEVELOPMENT AND INFRASTRUCTURE Council Offices, Kirkwall Orkney, KW15 1NY tel (01856) 873535 fax (01856) 876094 Executive Director :- Gavin Barr BSc Hons MSc URP MRTPI
Revision			
Date 07 October 2020	Drawn <i>M.Wylie</i>		
Scale NTS	Checked <i>K.D.Roy</i>		





Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated, or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	The proposed Orkney Islands Council (Disabled On-Street Parking Places) Order 2020.
Service / service area responsible.	Development and Infrastructure.
Name of person carrying out the assessment and contact details.	Kenneth Roy, Team Leader Roads Support, extension 2326, Email: kenny.roy@orkney.gov.uk .
Date of assessment.	28 January 2020.
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	New Traffic Regulation Order to cover on street disabled parking spaces.

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	To allow the Council to carry out its statutory duty in relation to the Act and enforce the disabled parking bays referred to in the proposed order.
Is the function / policy / plan strategically important?	No.
State who is, or may be affected by this function / policy / plan, and how.	Road users wishing to park in the on-street parking bays affected by the proposed order.
How have stakeholders been involved in the development of this function / policy / plan?	Formal statutory and public consultation will be carried out.
Is there any existing data and /	In carrying out its statutory duty in relation to the

<p>or research relating to equalities issues in this policy area? Please summarise.</p> <p>E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).</p>	<p>Act the Council will comply with the Disabled Persons' Parking Places (Scotland) Act 2009. Implementation Guidance for Local Authorities, published by the Scottish Government in 2010.</p> <p>The guidance states that local authorities have a duty to promote the proper use of disabled parking places. It also states that it is socially unacceptable to abuse disabled parking spaces.</p>
<p>Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise.</p> <p>E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Interim Guidance for Public Bodies for further information.</p>	No.
<p>Could the function / policy have a differential impact on any of the following equality areas?</p>	(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).
1. Race: this includes ethnic or national groups, colour and nationality.	No.
2. Sex: a man or a woman.	No.
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	No.
4. Gender Reassignment: the process of transitioning from one gender to another.	No.
5. Pregnancy and maternity.	No.
6. Age: people of different ages.	Yes. Statistically older people are more likely to be affected by disabilities (see section 11).
7. Religion or beliefs or none (atheists).	No.
8. Caring responsibilities.	No.
9. Care experienced.	No.
10. Marriage and Civil Partnerships.	No.

11. Disability: people with disabilities (whether registered or not).	Yes. The proposals will only permit those drivers displaying a valid Blue Badge to use the parking bays identified in the report and included in the proposed Traffic Regulation Order.
12. Socio-economic disadvantage.	No.
13. Isles-proofing.	No.

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	No.
How could you minimise or remove any potential negative impacts?	Not applicable.
Do you have enough information to make a judgement? If no, what information do you require?	Yes.

4. Conclusions and Planned Action

Is further work required?	Yes.
What action is to be taken?	Dependant on the decision of the Development and Infrastructure Committee on 31 March 2020.
Who will undertake it?	Executive Director of Development and Infrastructure.
When will it be done?	Following approval by Development and Infrastructure Committee.
How will it be monitored? (e.g. through service plans).	

Signature:

Date: 30 September 2020

Name: KENNETH D ROY

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk