

Scottish Disability Equality Forum

Leading Disability Equality in Scotland

Consultation

Transport Scotland

Improving Parking in Scotland

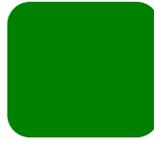
About Us

Scottish Disability Equality Forum (SDEF) is a member-led organisation, representing individuals with any type of impairment, disability organisations, groups and individuals who share our values. We work to ensure the voice of disabled people is heard and acted upon. SDEF is involved in a wide range of work on a local and national level. We work to bring real change to the lives of disabled people, to inspire and to motivate others to be inclusive and informed in their attitudes towards disabled people and to bring the message of equality to all.

Our aim is to ensure that our members and wider public are as informed as possible about the issues affecting disabled people in Scotland. SDEF has launched a series of online 'hubs' which include information and advice on Inclusive Communication, Inclusive Design and Accessible Travel.

SDEF actively engages with its members so that we understand what the key issues are for disabled people in Scotland and hold events to give advice on disability and access related issues.

SDEF is also the umbrella body for the national network of Access Panels in Scotland. Access Panels can be found in all regions and are made up of groups of disabled volunteers who work together to improve physical



access and wider social inclusion in their local communities. We offer support and training opportunities to help them operate efficiently, link together as a network and learn from each other.

We work to the principles of positivity, promotion, and partnership, working collaboratively with partners to promote best practice, and achieve awareness of disability equality across Scotland.

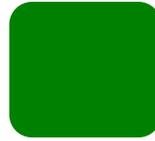
Summary

Scottish Disability Equality Forum circulated an online survey to all members between April and June 2017. The survey was also available on our social media. The consultation was open for 12 weeks. We had 41 people responding to this consultation. In addition, we ran a weekly poll question with all our members asking whether parking on the pavements was an issue in their area. We received 28 responses to this poll question, and these have also been included in our analysis.

Background

The Scottish Government wanted views on improving the management of parking across Scotland and making regulation more consistent. The consultation asked how the Scottish Government could improve the clarity of the laws on parking, what restrictions should be applied and the exceptions that should be granted. The Scottish Government also aimed this consultation at local authorities to ask them how they can deliver an integrated approach to managing parking, how we should tackle displacement of vehicles and support town centre regeneration, as well as improving accessibility for all.

In May 2015, the Footway Parking and Double Parking (Scotland) Bill was introduced. However, at the time, parking was a UK Parliament issue, so the Bill could not become law. The Scottish Government made a commitment in December 2015 to progress this important matter once powers on parking were devolved. In March 2016, the Scotland Act 2016 received Royal Assent, and powers to legislate on parking matters were devolved to the Scottish Parliament.



Due to the complex nature of parking and level of concerns that were raised by the public, local authorities and organisations' in relation to the Footway Parking and Double Parking (Scotland) Bill, the Scottish Government set out a general intention to use the powers devolved by the Scotland Act 2016 to legislate on parking. The findings of this consultation will inform the development of the parking provisions in the Government's Bill and supporting guidance to be introduced in this Parliamentary session.

Response

This document reports on the findings of this consultation. It is laid out to follow the key questions that were asked of our members. Where possible, we have tried to interpret the comments from our members to give a narrative of their views. This is complemented with verbatim quotes throughout.

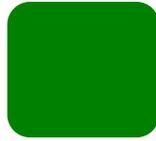
Key findings

The consultation sought feedback on whether respondents felt that parking on pavements, at dropped kerbs, and double parking was a problem in their local area. We also asked this question of our weekly poll respondents, and so 70 disabled people responded to this question.

Overwhelmingly, our members felt that parking was a significant issue in their local areas. Combining the responses to our weekly poll (97% of whom agreed parking was an issue) and all of the 41 respondents to this consultation also agreed. Some of the key issues included:

Parking on pavements

Cars parked on pavements caused our members considerable inconvenience, whether they were wheelchair users or relied on assistance dogs. Having to negotiate round parked vehicles, or use the road to get past makes independent travel much more difficult for disabled people and more hazardous than it needs to be.



“Parking on pavements causes an obstruction to wheelchair users and assistance dog owners as well as people with prams.” SDEF member

“I am constantly battling pavement blocking, inconsiderate neighbours, having to risk walking on the road to pass on my mobility scooter.”

Parking on dropped kerbs

A large number of our members are wheelchair users, or have mobility scooters. Equally, our visually impaired members travel with the use of an assistance dog. All had experienced issues with parking on dropped kerbs. This inevitably means a longer journey, with disabled people having to locate the next unobstructed dropped kerb to be able to cross the road.

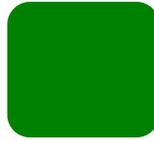
“I use electric scooter and often have to travel further down street when I can see I won't be able to get onto pavement on the other side as a car has been parked across the drop in the pavement.”

“My guide dog finds the dropped kerb so that we can cross the road safely if it is obstructed and there are many cars parked, we have to go onto the road or cross completely to the other side - a dangerous game.”

Some of our members in rural areas commented that there is often a lack of dropped kerbs anyway, and if these are then blocked, it can create more of an issue in navigating the local area.

Double parking

Double parking was not raised as an issue in the same way as pavement parking or parking at dropped kerbs, but was still an issue for some of our members. For example, in rural areas, double parking occurs quite frequently, especially along streets in shopping areas causing problems for passing traffic. Commercial vehicles double-park for various lengths of time to unload, while private cars tend to park for a short time, while they visit local shops.



“Double parking is also a major problem narrowing already narrow roads, restricting access further, restricting line of site, greatly enhancing danger to all road users especially pedestrians.”

“I was once stuck in a disabled bay for over 45 minutes while a courier company offloaded his goods to multiple shops and would not move to let me out.”

Reasons for parking on pavements

In response to the question ‘why’ do motorists park on pavements, our members felt strongly that it was a combination of laziness and ignorance, with motorists thinking they could park ‘quickly’ while they quickly carried out their business, without recognising their actions have consequences for disabled people. Or, where homes do not have their own driveways, our members felt that people would park as close to their own homes as possible, on the pavement, just for convenience.

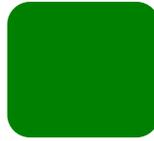
“They’re lazy, and don’t understand how their actions impact.”

“Because it’s convenient, they don’t need to walk far and they don’t think that they’re obstructing people’s right of way, they just do what is best for them.”

Another suggestion was that narrow streets force vehicles onto the pavement, as motorists prioritise passing cars, over pedestrians. Our members felt that there should be a change in culture.

“Because blocking the road seems to be a bigger problem than blocking the footway. People don't think about the needs of people in wheelchairs or mums with buggies. A change of culture is required.”

Our members also reported that there is a general lack of suitable parking spaces.



New legislation

Overall, our members felt that there was a need for new legislation, and that this should cover all pavements, bus stops and especially accessible parking bays. The concern among our members was that any legislation would have to be suitably enforced, and questioned who would take on this responsibility? There were comments that the rules of the Highway Code are not currently policed, and therefore there were concerns over whether new legislation would change anything if it were not enforced.

“Clearly the old legislation is not being enforced and is for much of the case literally being ignored, so yes, let’s have a new one but will the local authorities and the Police turn a blind eye to that one also?”

It was suggested that a new law should cover all roads, including private roads and if necessary, local authorities could apply for exceptions to assist with displaced vehicles or where older designed streets would not allow this to be implemented effectively.

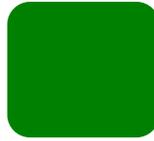
“A pavement is a pavement and is for pedestrians not vehicles, whether is it the public highway or a private road.”

The majority of our members also agreed that the new law should apply to all vehicles, including taxis, lorries and motorbikes.

“Yes, it should apply to all motor vehicles. There is no justifiable reason or right for anyone parking any vehicle of any kind on a pavement, on or close to a junction, or double parking.”

In terms of exceptions to the new legislation rules, only emergency vehicles should be exempt from parking on pavements, although a number of our members did not think there should be any exemptions to the rules.

“Other than for emergency vehicles and appropriate emergency access! Anything else will ultimately be abused.”



There was also strong feeling that local authorities should not exempt some streets from parking restrictions, unless there are proper parking bays made available.

Impact on disabled people

Overall, our members felt that the proposals would lead to better access to the local environment for disabled people and encourage more independent travel. Safety would also be improved for disabled people who would be able to use the pavement, rather than be forced onto the roads.

“If implemented it would remove some of the barriers caused by poor parking and also enhance safety as disabled people wouldn't be forced onto the road. It would also assist with independence.”

“They would be able to enjoy freedom of movement without hindrance.”

Summary

Roads authorities including Transport Scotland have a legal duty under the Equality Act 2010 to make reasonable adjustments to the street environment to ensure that it is accessible for disabled people. This proposed legislation is an important step in providing roads authorities with additional powers to help them fulfil this legal duty.

Disabled people have expressed their frustration at the current situation of parking on pavements, on dropped kerbs and double parking. They felt that new legislation would go some way to alleviating the issues, but only if the new legislation was suitably enforced.