WEST LOTHIAN COUNCIL

ANNUAL REPORT ON PERFORMANCE OF FUNCTIONS IN RELATION TO PLACES FOR DISABLED PERSONS' VEHICLES

REPORTING PERIOD

1 April 2011 - 31 March 2012

This report has been prepared by West Lothian Council to fulfil the duties set out in the Schedule of the Disabled Persons' Parking Places (Scotland) Act 2009.

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1(a) Details of the action taken in fulfilment of duties under section 1.		Press Releases
Comments	The 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 during the statutory advertisement period. • Newspaper advert to start the statutory advertisement period. • Information on provisions available on web at all times.	

1(b) The number of parking places designated as being for use only by a disabled persons' vehicle by virtue of the provisions of this Act.		175
Comments	This figure includes all of the on-street and off-street parking places made enforceable during the reporting period.	

1 (c)(i) The number of advisory disabled street parking places identified under section 4(1).		23
Comments	Bays identified as on street spaces advisory and present on 30 September 2009 have previously been converted or removed with the exception of those noted above, as detailed in the first annual report provided by West Lothian Council as further investigation was required. 19 Bays have now been converted.	

1 (c) (ii) Reasons for decisions under section 4(2) or 4(3)(a)	
Comments	As stated in 1(c)(i) above, there were 23 bays identified under Section 4(1) that were required further investigation. As a result of this 19 bays were designated and 4 were not progressed. These decisions are detailed below.

Case ref	Reason for decision	Relevant section
DIS/1036	Location is not convenient to a blue badge holder	4(2)
DIS/1046	Location is not convenient to a blue badge holder	4(2)
DIS/1619	Location is not convenient to a blue badge holder	4(2)
DIS/1726	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	4(3)(a)

1(c)(iii) The number of parking places for which the statutory procedure was started under section 4(3)(b).		19
Comments	This figure includes all of the on-street parking places requested by qualifying people during the reporting period.	

1(d) (i) The number of requests made under section 5(1).		138
Comments	This figure includes all of the on-street parking places requested by qualifying people during the reporting period.	

1(d) (ii) The number of parking places identified under section 5(2)(b).		101
Comments	This figure includes all of the bays requested by qualifying people which were declared as convenient during the reporting period. Further bays have been requested and investigated but the council had had no confirmation that the bays are convenient by the end of the reporting period.	

1 (d) (iii) Reasons for decisions made under section 5(3)(a).		
Case ref	**Reason for Decision**	**Relevant Section**
DIS/2185	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	5(3)(a)
DIS/2192	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	5(3)(a)
DIS/2151	No power under RTRA 1984 because there is deemed to be suitable off street parking available at location	5(3)(a)
DIS/2134	Location not convenient to blue badge holder, application stopped	
DIS/2111	Location not convenient to blue badge holder, application stopped	
DIS/2154	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	5(3)(a)
DIS/2181	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	5(3)(a)
DIS/2196	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	5(3)(a)
DIS/2141	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	5(3)(a)
DIS/2205	Location not convenient to blue badge holder, application stopped	
DIS/2175	No power under RTRA 1984 because there is deemed to be suitable off street parking available at location	5(3)(a)
DIS/2189	Location not convenient to blue badge holder, application stopped	
DIS/2139	No power under RTRA 1984 because the desired location is not on the adopted road network/within the control of the local authority.	5(3)(a)
DIS/2172	Location not convenient to blue badge holder, application stopped	

1(d)(iv) The number of parking places for which the statutory procedure was started under section 5(1).	175
Comments	This figure includes all of the on-street parking places for which the statutory procedure was started under section 5(1) during the reporting period.

1 (d) (v) The period between identification of a parking place under section 5 (2)(b) and the starting of the statutory procedure.	
Comments	All parking places which have been made by provision of this Act, during this reporting period, are contained in one traffic regulation order. The statutory procedure for all of these bays was started on 23 August 2011. Some of the waiting times are longer than desired, however this is due to the decision that one large order would be progressed, this is considered an efficient use of funding and staff time. The average waiting time is 67 days. This figure has reduced since the last report.

Case Ref	**Town**	**Identification Date**	**Time Elapsed Before Start of Statutory Procedure**
775	Blackburn	01-Jul-11	53 Days
1401	Bathgate	01-Jul-11	53 Days
1440	Bathgate	01-Aug-11	22 Days
1593	Livingston	18-Aug-11	5 Days
2110	Livingston	28-Apr-11	117 Days
2112	Fauldhouse	23-May-11	92 Days
2113	Whitburn	31-May-11	84 Days
2114	Livingston	18-May-11	97 Days
2116	Livingston	26-May-11	89 Days
2117	Livingston	01-Jun-11	83 Days
2118	Broxburn	01-Jun-11	83 Days

Case Ref	Town	Identification Date	Time Elapsed Before Start of Statutory Procedure
2119	Bathgate	27-Jun-11	57 Days
2120	Livingston	06-Jun-11	78 Days
2122	Bridgend	10-Jun-11	74 Days
2123	Pumpherston	08-Jun-11	76 Days
2124	Livingston	27-Jun-11	57 Days
2125	Whitburn	04-Jul-11	50 Days
2126	Armadale	29-Jun-11	55 Days
2127	Livingston	29-Jun-11	55 Days

1 (e) (i) The number of off street parking places identified under section 6(1);		NIL
Comments	A total of 651 spaces were identified during the last reporting period (1st October 2009 -31st March 2011). There have been no further parking spaces identified during this reporting period.	

1 (e)(ii) Reasons for decisions made under section 6(2)(a);		NIL
Comments	As detailed in the previous report submitted by West Lothian Council during the last reporting period, off street parking spaces have been identified where the land owner wishes to secure an arrangement with the council to progress an off street traffic regulation order. However, no arrangements have been concluded to date.	

1(e)(iii) The number of parking places in relation to which the statutory procedure was started under section 6(2)(b).	NIL
Comments	At this stage the council has started the statutory procedure to convert all disabled parking bays identified on land that is within the control of the council. The process was stated during the last reporting period and reported at that time. It is expected that further work will be undertaken on this matter this year and these will be progressed in due course. No further spaces have been identified.

1(e)(iv)The reasons for decisions made under section 6(4), e.g. that the council would not have power to make a disabled off-street parking order.	NIL
Comments	At this stage the council has started the statutory procedure to convert all parking bays identified on land which is within WLC control. These will be progressed in due course, some spaces may be declared ineligible on further investigation.

1(e)(v) The number of premises that include a parking place for the provision of which it sought to make arrangements under section 6(6).	NIL
Comments	Having identified locations where arrangements may be made, these will be progressed. At this time no arrangements have been made.

1(e)(vi)The reasons why the council unsuccessful in making such arrangements.	NIL
Comments	The council has written to business premises in operation in West Lothian (2010), if no response was received then no arrangement can be made. The council is due to review this during 2012 as directed by the Act.

1(e) (vii) The number of parking places in relation to which it started the statutory procedure under section 6(7).	NIL
Comments	Arrangements have not been formalised at this time.

1(e)(viii) The date by which the council performed its duty under section 6(1) and any duties under section 6(2), (4) or (6), relative to the period of twelve months referred to in section 6(9).	August 2010
Comments	The council sought to make arrangements throughout August 2010, by lettering private businesses, NHS facilities and housing associations, and liaising with all departments of the council. The council is due to review this during 2012 as directed by the Act.

1 (f)(i) The number of relevant developments for which a planning permission mentioned in section 7(1) was granted.	7
Comments	The number above is the number of relevant developments which were granted planning permission in the WLC area over the reporting period.

1 (f)(ii) Reasons for any decision under section 7(3).	None
Comments	The council has not contacted these applicants at this stage and is currently setting up a programme for contacting successful applicants in connection with this matter. Further information should be available during the next reporting period.

1 (f)(iii) The number of premises that include a parking place for the provision for which the council sought to make arrangements under section 7(5).	None
Comments	The council has not contacted these applicants at this stage and is currently setting up a programme for contacting successful applicants in connection with this matter. Further information should be available during the next reporting period.

1 (f)(iv) Reasons why the council was unsuccessful in making any such arrangements.	N/A
Comments	The council has not contacted these applicants at this stage and is currently setting up a programme for contacting successful applicants in connection with this matter. Further information should be available during the next reporting period.

1 (f)(v) The number of parking places for which the statutory procedure was started under section 7(6).	NIL
Comments	No order has been started at this stage.

1(g)(i) Reasons for decisions made under section 8(2).	NIL
Comments	It is expected that further information will be available during the next reporting period.

1(g)(ii) The number of premises that include a disabled parking place for which the council sought to make arrangements under section 8(4).	N/A
Comments	It is expected that further information will be available during the next reporting period.

1(g)(iii) The reasons why the council was unsuccessful in making any such arrangements.	N/A
Comments	None.

1(g)(iv) The number of parking places in relation to which the council started the statutory procedure under section 8(5).	NIL
Comments	No order has been started during the reporting period.

1(h)(i) The number of disabled street parking orders and disabled off-street parking orders where the statutory procedure has been started in accordance with this Act.	1
Comments	This figure includes all traffic regulation orders where the statutory procedure was started during the reporting period in accordance with this act. One on street order has been started and completed.

1(h)(ii) The number of parking places designated as being for use only by a disabled persons' vehicle under such an order;		See Below
Comments	The second Disabled Persons Parking Places Order has designated further 175 spaces on-street for the use of blue badge holders only, these are spaces in residential areas. No other orders have been progressed in this reporting period.	

1(h)(iii) For each order, the period between the start of the statutory procedure and the making of the order.		185 days
Comments	On this occasion, during this reporting period, we have completed one on-street order.	

1(h)(iv) The reasons why, in respect of each case, the council started the statutory procedure for the making of such an order but did not make an order.		N/A
Comments	As identified above, due to the size of the order and the associated staff time, only one order has been completed.	

End of Report