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23rd January 2013
Tim Peppin
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William Powell AM
Chair – Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Dear William

P-04-438: Mencap Cymru disabled parking

Thank-you for your letter of 28th November regarding Mencap's petition in relation to disabled parking provision. Once again, please accept my apologies for the delay in responding but I have been collating responses from local authorities in order to prepare a more informed response.

In your letter you ask if local authorities adhere to the Department for Transport's guidance on disabled parking, Traffic Advisory Leaflet 05/95 Parking for Disabled People. Based on the feedback I have received it would appear that authorities do use TAL 05/95. The responses suggest that authorities seek to meet the guidance wherever practical. Some added that the bays are regularly enforced to ensure compliance with the restrictions in place and, in some cases, the parking is available free of charge for badge holders. In a very limited number of cases where authorities have admitted they have not been able to meet the guidance it is for practical reasons/space constraints.

You also asked for any other comments on the issues raised in the petition:

- Bullet point 2 - Some authorities pointed to the Equalities Act, which covers discrimination and reasonable adjustments, which they believe effectively covers this area already in terms of providing a legal requirement.
- Bullet point 3 - from the feedback I received there was a view that the minimum size for disabled spaces is sufficient to accommodate vans used to transport wheelchair users.
- Bullet point 4 - It was noted parking in a designated disabled bay without a valid disabled badge is already a higher level contravention with respect to the Traffic Management Act 2004 contravention codes which some authorities now use as part of Civil Parking Enforcement.
- Bullet point 5 – The Equality Act 2010 outlines provisions that

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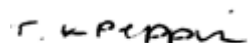
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place duties on drivers of designated wheelchair accessible taxis and Private Hire Vehicles to 'take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort'. Local Authorities will therefore be required to reflect this in their regulation and licensing when the UK Government brings these provisions into force.

I hope that this information is of use to you

Yours faithfully



Director – Regeneration and Sustainable Development