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**TX: 24.04.03 – DISABLED PARKING BAYS IN PETERBOROUGH – UPDATE**

**PRESENTER: DIANA MADILL**

**MADILL**

Now news on our story yesterday from Peterborough about how some disabled people have been refused parking bays outside their homes and how all applicants will have a personal visit from the city council leader who then decides whether an applicant is genuine or not. Well our reporter Carolyn Atkinson is here with an update on new developments. Carolyn?

**ATKINSON**

Well yesterday the council wouldn't speak to us and offered no explanation as to why these bays were being banned, other than that it's all part of their overall parking review which is ahead of decriminalisation, which will come in in September and that means that instead of the police enforcing parking, it'll be the council and the council will get the money.

Now today we do have an explanation but it is not simple. Councillor Neville Sanders, who's the city council leader, according to him he's saying it's all to do with the type of land that Peterborough is classified as. Now it is a very old town but back in 1967 it was given New Town status. So his argument goes like this. That New Town land is classified as housing land and that housing land is not covered by any traffic or highway regulations. So if you're still with me, that means that even if you painted, according to him, some disabled parking bays on the road you can't actually enforce them because they're not covered by any traffic regulations.

**MADILL**

It sounds extraordinary, is that the case?

**ATKINSON**

Well I've spent all morning discussing the intricacies of when is a road not a road, when can you paint a bay, when can't you. Some lawyers are saying that Councillor Sanders's argument doesn't stand up because once you build a road on a piece of land, whether it's New Town land or old town land, it automatically becomes covered by all road traffic and highway laws because the fact is it is a road. I then spoke to the RAC, their lawyer also rummaged through all their documents, they looked at all their housing acts, their traffic acts and they too have found nothing at all that in their view differentiates between whether your road is on old land or new land. They say all the laws relating to decriminalisation of parking are enacted locally and unless it's something like a private road then basically the council can do what it likes to do and there's no distinction between the type of land. So they think if you have a bay you can enforce it if you want to.

And in the past few minutes even more evidence, if you like, the Department of Transport has said the Road Traffic Act 1991, under this act they say the council has the power to create special parking areas that the council is responsible for these and the key bit - responsible for enforcing them and they can do that under the Road Traffic Act.

**MADILL**

So does this change anything in Peterborough at the moment?

**ATKINSON**

Well according to the - I've just been speaking also to the Disability Rights Commission and they're saying in their view all this evidence points to the fact that, in their view, it's a red herring. They say that the council leader is, in their view, using this New Town argument as an argument - as a reason not to provide bays for disabled people and that they're hiding behind this as a sort of legal justification. The fact remains no laws are being broken, 30 people are still waiting for their bays and by the looks of it they will still probably have to wait till September.

**MADILL**

Carolyn thank you very much.