

### **FC73. RESIDENTIAL ON-STREET PARKING PLACES FOR PEOPLE WITH A DISABILITY**

In terms of the Council's Scheme of Delegation, this item had been called into Council by Councillor Gow and Depute Provost Black.

There was submitted (circulated) (a) Extract of Minute of Meeting of the Policy and Resources Committee held on 9 September 2008; (b) Report by the Director of Development Services submitted to the said meeting; and (c) Report by the Director of Development Services submitted to the meeting of Community Health and Safety Committee held on 19 August 2008.

Councillor J Constable, seconded by Councillor Meiklejohn moved that:-

- (1) Council notes the views of officers that the SNP amendment moved at Committee recognised an anomaly within the existing procedures and therefore accepts that in order to meet the terms of the Council's Equal Equality Policy this anomaly should be resolved forthwith;
- (2) applicants not in receipt of the Mobility Component of DLA at the higher level, will be assessed by a physiotherapist. The assessment determines whether the applicant has a disability which is comparable with that required to qualify for the Mobility Component of DLA at the higher level;
- (3) applications relating to disabled children under the age of 3 will require assessment by a paediatric therapist. The assessment determines whether the applicant has a disability which is comparable with that required to qualify for the Mobility Component of DLA at the higher level; and
- (4) all applicants with garages not located at their houses will be assessed by a physiotherapist.

By way of an amendment Councillor C MacDonald, seconded by Councillor McLuckie moved the recommendations contained in the Report approved by the Community Health and Safety Committee at its meeting on 19 August 2008.

In terms of Standing Order 21.4 (i) a vote was taken by way of a roll call, there being 29 Members present, with Members voting as undernoted:-

For the Motion (14) – Councillors Alexander, Carleschi, Coleman, H Constable, J Constable, Hughes, Jackson, Kenna, A MacDonald, McNally, Meiklejohn, Oliver, Spears and Thomson.

For the Amendment (15) – Provost Reid; Depute Provost Black; Councillors Blackwood, Buchanan, Goldie, Lemetti, C MacDonald, Mahoney, C Martin, CR Martin, McLuckie, McNeill, Nicol, Patrick and Waddell.

Accordingly, **AGREED**:-

- (1) to the continued provision of enforceable residential parking bays;
- (2) to the continued use of the criteria set out in paragraph 2.7 of the Report submitted to the Community Health and Safety Committee on 19 August 2008, as amended by paragraphs (3) and (4) listed below and that they be used in the assessment of this provision;
- (3) that only those applicants over the age of 65, not in receipt of the Mobility Component of DLA at the higher level, will be assessed by a physiotherapist. The assessment determines whether the applicant has a disability which is comparable with that required to qualify for the Mobility Component of DLA at the higher level; and
- (4) that applications relating to disabled children under the age of 3 will require assessment by a paediatric therapist. The assessment determines whether the applicant has a disability which is comparable with that required to qualify for the Mobility Component of DLA at the higher level.

**NOTED** that a future report will come to members following the passage of The Disabled Persons' Parking (Scotland) Bill through the Scottish Parliament.

In terms of Standing Order 31.2 and with the meeting having continued beyond 5pm, the Provost advised that the remaining reports on the agenda would be dealt with in accordance with Standing Order 31.2.2 and that there would be no discussion on the individual items.

Councillor Alexander, seconded by Councillor Coleman moved that the meeting be extended for full consideration on the remainder of the business.

By way of an amendment, Councillor C Martin, seconded by Councillor C MacDonald moved application of Standing Order 31.2.2.

On a division, 14 Members voted for the Motion and 15 for the Amendment.

Accordingly, **RESOLVED** that the remaining reports on the agenda would be dealt with in accordance with Standing Order 31.2.2 and that there would be no discussion on the individual items.