REPORT ON THE LEVEL OF PROVISION FOR DISABLED CUSTOMERS IN CITY CENTRE CAR PARKS IN ENGLAND, SCOTLAND AND WALES.
As an equestrian triple Paralympic gold medallist, I know a little bit about getting from A to B. As a woman, I also know a little bit about shopping! I’m therefore pleased to be writing this foreword for DMUK’s report on the level of provision for disabled customers in city centre car parks across the UK.

There is no doubt that one legacy of the Paralympics has been to heighten awareness of the difficulties facing disabled travellers. As a disabled driver I am increasingly left frustrated by the inadequate accessible car parking in city centres. Very rarely do car parks provide the 6% designated accessible spaces demanded by The Department for Transport and for there to be car parks that are allowed by The Department for Transport and for Very rarely do car parks provide the 6% accessible car parking in city centres.

There is no doubt that one legacy of the Paralympics has been to heighten awareness of the difficulties facing disabled customers in city centre car parks across the UK.

DMUK’s report on the level of provision for disabled customers in city centre car parks has found. With the spending power of disabled consumers in the UK between £50-£80 billion [DWP, 2014] and a 20% disabled customer base for an average UK business [DWP, 2012] it makes good business sense for retailers to tap into the ‘purple pound’ market. It’s about making change for changes sake. It’s about ensuring that our high streets can be easily accessed by everyone.

As an equestrian triple Paralympic gold medallist, I know a little bit about shopping! I’m therefore pleased to be writing this foreword for DMUK’s report on the level of provision for disabled customers in city centre car parks. This was followed shortly by the Motability Scheme in 1971 which enabled badge holders to park on the street in marked bays or on double or single yellow lines. Then in 1976 Mobility Allowance was introduced by the government which gave help to disabled people regardless of their ability to drive. This was followed shortly by the Motability Scheme in 1978 which enabled disabled people to buy a car.

“ Disabled Motoring UK is a national charity that works to improve access and mobility for all disabled drivers, passengers and Blue Badge holders. We currently serve around 14,000 members and we work with businesses and government to improve the transport issues faced by people with disabilities. Disabled Motoring UK was formed at the end of 2005 by the merger of the Disabled Drivers’ Motor Club (DDMC) and the Disabled Drivers’ Association (DDA). The Disabled Drivers’ Motor Club (DDMC) was founded in 1922, the world’s first motoring organisation for disabled people. The Disabled Drivers’ Association was established in 1948 as the Invalid Tricycle Association, changing its name later to reflect changes in the vehicles members used.

Since the formation of the DDA and the DDMC there have been numerous improvements to help disabled people become more independently mobile. Firstly in 1971 the Orange Badge Scheme which later became the Blue Badge Scheme was introduced. This enabled badge holders to park on the street in marked bays or on double or single yellow lines. Then in 1976 Mobility Allowance was introduced by the government which gave help to disabled people regardless of their ability to drive. This was followed shortly by the Motability Scheme in 1978 which enabled disabled people to buy a car.

Demographic changes in the population have increased the number of disabled people and there are now 2.6 million Blue Badge holders in England alone. Many disabled people are totally reliant on their car to get about as public transport systems are only slowly becoming accessible and there is still a limit to the level of use these will provide, for example to those carrying shopping or living too far away from a bus stop. In some places on-street parking is not available and so disabled people have little option but to use a car park. For some disabled people this is a preferred option as mobility equipment can be unloaded away from a busy road and people feel much safer but for others this can be a difficult experience where car parks provide numerous access challenges. For example in many car parks access is via barrier systems which can prove impossible to use for people with manual dexterity issues. In a recent letter to the charity one member wrote;

“I am a partially disabled driver with very limited use of my right leg and right arm. I have a problem with entry/exit barriers because if I park too close to try and reach the machine with my right hand, and then find I can’t do it, I can’t get out of the car to use my left hand because I parked too close to the machine! And it’s not possible to reverse and move over if another vehicle is waiting behind me. So how do I get around this problem? Is there an answer? What do other similarly disabled drivers do?”

Unfortunately there is no clear answer to this problem as it depends on how the car park is managed. DMUK is concerned that although more disabled people will be able to drive in the future, as technology improves, they won’t actually be able to go anywhere alone because of the problems with accessing car parking facilities.

To try and understand the level of this problem DMUK commissioned the biggest ever survey of car parks across England, Scotland and Wales. In this survey 20 car parks were selected in London, Cardiff, Bristol, Manchester, Newcastle, Glasgow and Birmingham. This report gives a summary of findings on the level of provision found.

With the exception of Westfield London, the car parks selected to be surveyed for accessibility were not integral to any shopping centres, but generally were those that are located in areas that serve busy high streets and large volumes of high street stores. Surveying took the form of a walk-through audit, visiting the routes and facilities as both a driver and as a pedestrian. The surveying was divided into three areas of investigation; driver access, pedestrian access, and general provisions and management of the car park and each addressed different requirements or aspects for providing an inclusive or accessible car parking experience for a disabled person.

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October 2012
RESULTS - LONDON

NCP, GROSVENOR HILL  21 GROSVENOR HILL, MAYFAIR, LONDON W1K 3QQ

The first issue with this car park is the small number of accessible bays, only 2/200 bays were accessible which is far below the recommended 6% from the Department for Transport. These bays were also not marked out properly as one of the safety zones was missing. The ticket issue machines at the entrance bays have an assistance call button but it was felt they would be difficult to activate for people with dexterity problems and the intercom support given would deny access for hearing impaired people. Staff in the car park were reported to be attentive but said it could take them up to 10 minutes to respond to a call activated at the ticket purchase point. A good feature of this car park is the exit barrier machines which offer payment facilities which do not require a PIN card number to be entered which is helpful for disabled drivers with manual dexterity/upper limb conditions. The Pedestrian access to this car park was reported to be poor as the vehicle entrance way has no handrails and the barrier reaches all the way across. The stairs between levels and the access to them through the car park doors do not provide Part M compliance.

NCP, PORTMAN SQUARE  GLOUCESTER PLACE, MARBLE ARCH, LONDON, W1H 7BG

Portman Square car park is entirely underground and consists of multiple levels. In this car park only four bays were marked as accessible out of 439. However, of the four marked out as spaces for disabled people two were underused in width. None of the bays had transition zones marked, but two bays did have a side zone marked out to be shared. Entry to the car park requires customers to take a ticket at the barrier. The ticket issuing machine has an assistance button, but this does not connect to the staff in the car park but instead connects to staff at the Croydon office. The button requires dexterity to use as it is flush with the surface. Staff said they will attend to anyone seen needing help at the barrier if they are available to do so, but do not give assistance generally.

Q-PARK, SOHO  49-50 POLAND STREET, SOHO, LONDON W1F 7NB

In this car park only 6/196 spaces were accessible which is fewer than the 6% which should be provided. Although they are well signed and marked out correctly one bay does seem rather narrow and another bay is used for the storage of maintenance equipment and sand which reduces the bay numbers even further. To enter or exit the car park people need to walk down steep ramps which are about 20m long and have approximately a 1:10 gradient. These ramps only have one handrail on the side. Staff at the car park were attentive and they have a clear view of barriers and the accessible bays from their office window. The steep ramps are one of the biggest problems with this car park but staff stated that they would not be able to provide assistance to push wheelchair users up the steep slope. A good feature of this car park is the provision of an accessible toilet which is mostly compliant to Part M, in terms of size and layout. One of the issues for lone disabled drivers is paying for a ticket as the pay ticket machines require a reach of up to 1400mm above floor level (AFL), which is too high for wheelchair users and people of short stature. In order to pay disabled people would have to use the manned counter but there is no hearing loop system indicated and no means of alerting staff if there is nobody there.

WESTFIELD  ARIEL WAY, LONDON W12 7SL

Westfield car park was the only car park surveyed that is part of a shopping centre. This car park was built in the early 2000s and offers some best practice features such as tree parking for Blue Badge holders and good lighting. However, it still did not provide the recommended 6% accessible spaces and instead provided 5% (215/4,300). The accessible bays have adequate widths and transfer spaces but instead of a boot space safety zone there is a pedestrian zone which ensures some protection from passing vehicles. Overall this was a very good car park and provided excellent signage to bays although strangely there was no signage to Shopmobility from almost anywhere in the car park. Shopmobility staff are trained to provide assistance to disabled customers and they can be summoned by phone. The entry point ticket issuing machine has an assistance button but it is flush with the surface plate and so could be difficult for some disabled people. The machines commendably offer ‘contactless’ payment, where users do not need to key in their PIN number. There was an excellent quality accessible and a Changing Places facility provided.

Q-PARK, OXFORD STREET  CAVERNDISH SQUARE, LONDON W1G 4PR

This car park is situated in one of the biggest shopping areas in London but sadly provides no accessible bays. This is probably due to the fact that the only access for pedestrians into and out of the car park is stepped. Although it may be assumed that wheelchair users could enter and exit through the vehicle entrance this is very dangerous due to a steep gradient of 1:10 and the fact that there are no drop kerbs or safety zones. Tickets are issued to drivers on entry and staff are available to offer assistance but may not be available all the time. Pay points are located in various locations and are set at different heights from 800-1400mm AFL which is very useful if only disabled people could use the car park. Alternatively customers can pay at a staffed counter behind glass but this is only reached via a threshold step. This counter has a loop system. Anyone wishing to return to the car park must insert their ticket to release the door. These machines are set at 1200mm AFL. This car park had a number of help points with accessible extending buttons. They were set at various heights but were often restricted by a kerb or an obstruction such as a motorbike. Although standard toilet facilities are provided none are accessible. If this car park was to be used by the majority of disabled people it would need to install a lift.

VINCI, MAYFAIR  ACHILLES WAY, PARK LANE, W1K 1AB

In this car park 8/320 bays were accessible. Again this is significantly fewer than the number that should be provided. Although these bays were marked out to the correct size there was no transition zone marked. Unfortunately all the bays but one were all occupied by vehicles not displaying a Blue Badge and the only one not occupied was filled with maintenance equipment. This car park is entirely underground and pedestrian access is provided via a ramp (or stairs) from the pavement to ground level and then there is a lift to all floors. Lifts appeared to be Part M compliant except they had no handrails. The help point in the lift lobby is set at 1400mm which is too high for wheelchair users. This is unfortunate as it is likely to be of most benefit to those who cannot use the stairs when needing to summon help in an emergency. To enter the car park customers need to either collect a ‘chip’ token or swipe a season pass. A high level of dexterity is required to pick up the chip. To re-enter the car park out-of-hours, a ‘chip’ or pass-reader is used, which requires a reach of 1400mm AFL which is much too high for wheelchair users. To exit the car park customers need to insert the chip, type in a PIN code for a credit/debit card or insert cash. The token is then returned to be re-inserted at the exit barrier. These may be difficult tasks for those with upper limb disabilities. This car park had incorrect signage as it stated there were accessible bays on levels 1and 2 only whereas there were also accessible bays on level 3. Staff are present in the office all the time at this car park but said they do not provide assistance. An accessible WC is provided but requires users to pass through the male WC and urinals.
This car park is set entirely above the ground floor and has poor pedestrian access. It even has a sign on entrance stating “We regret this car park is not suitable for disabled persons using wheelchairs and sincerely apologise for any inconvenience caused”. However, this sign is unsatisfactory and even the limited access provided is not likely to be used as its maximum as a result. Signage indicating limited access would be a better option to maximize the car park use. Out of the 244 spaces provided only four were accessible. On the day the car park was surveyed all were occupied and one was not displaying a Blue Badge. The space for a car marked out is adequate but transfer spaces are too narrow and there is no directional signage to the bays. In addition to parking spaces for Blue Badge holders there are spaces for “blue permit holders” which is a completely different scheme. This is liable to cause confusion particularly for disabled visitors from abroad. Entry to the car park is by taking a ticket on entry. There is a button on the machine to summon assistance but this button is recessed which can make it hard to press. Staff said they aim to respond to every call made, but only two staff cover seven car parks across Cardiff. Calls are routed via Croydon in London to radio receivers held by the duty staff. The customer services counter is unstated almost all of the time and it lacks access for hearing impaired people.

To pay for parking customers have to use a pay machine which is located on the ground floor. This machine is accessed by using a small passenger lift, which would not accommodate most wheelchairs, then by using a platform lift. However, payment can be made on exiting at the barrier although wall signage contradicts this as it says there are no payment facilities at the exit. Considering the difficulties in reaching the payment machine payment on exit would probably be a preferable method for disabled drivers. This car park had well marked out pedestrian routes. There are no toilet facilities for anybody.

The main entrance to Westgate Street car park provides level access to the accessible bays. Only four out of 336 parking spaces are accessible and the path marking out the bays has become worn. There is no signage to direct people to the bays but they are quite obvious being situated on the ground floor level. The lighting in the car park is fine in daylight but there is poor artificial illumination. Entry to the car park is by taking a ticket and there is an intercom on the machine which can be activated by pressing a button. Unfortunately this button does not stand proud of the surface making it hard to press. There were no staff available at this car park when it was surveyed as like Greyfriars NCP Car Park two members of staff have to cover seven car parks across Cardiff and the calls are routed via Croydon in London to radio receivers held by the duty staff. Pay machines are located at ground floor level and these can be accessed by a level route. Two payment machines are provided but both are set at the same height which may be too high for some wheelchair users. Payment can also be made on exiting at the barrier. Steps and lifts are available to upper level car parking although there are no accessible bays above the ground floor. The handrails on the stairs do not fully extend along the flights on both sides but the two lifts provided are Part M compliant in size and fittings. The fire exit route is through a narrow door and involves passing through a dark lobby. There are no toilet facilities provided.

This car park is slightly too low to meet regulations and standards to allow converted vehicles to have adequate headroom. There are only three accessible bays out of 591. The size of these bays is adequate but they are on a slope with a gradient of approximately 1:20 which can make getting in and out of a wheelchair difficult. Entry to the car park is by taking a ticket at the barrier and assistance can be called by using the intercom on the machine which is unfortunately recessed as this makes it difficult for people with dexterity problems to use. Staff are not available at the car park but can arrive within 15 minutes if a call is routed through to them. This is quite a long time for someone to wait for assistance. Pay machines are located in the lift and stairs lobby, and both offer high reach ranges for the controls. A duplicate machine, if provided at a lower level, may better meet both accessibility and business needs. There are two lifts provided to exit the car park but at the time the survey was carried out one was not working. Unfortunately the broken lift provides the best access as the other lift has a 90mm kerb to overcome. The staircases in the car park both lacked suitable handrails and one handrail was absent altogether in some places. No toilets were provided at this car park.

The car park provides accessible spaces at ground floor level but unfortunately there are just two (although the website says three) in a car park with 421 spaces. Commendably accessible bays are marked out well with transition routes on both sides and there is level access to the outside. However, there is a section of pavement that has no drop kerbs immediately to one side of the exit. Entry to the car park is by taking a ticket at the barrier and although these machines offer assistance the call points are not easily activated by the buttons, which are flush with the fascia. Staff are not available on location but can be contacted if a call is made. Pay machines are located on the exit side wall which provides the best access as the other lift has a 90mm kerb to overcome. The pedestrian access route to the lift and stairs is accessed through a narrow doorway. The staircases in the car park both lack suitable handrails: only approximately one third has a handrail on both sides and its cross-sectional shape does not meet regulations. The lift is underride to meet Part M, but otherwise has most of the required accessibility features. The fire exit doubles up as an access route to the hotel, however the doorway has a threshold and leads to a staircase, thereby presenting a barrier to wheelchair users from using it as a refuge point or otherwise. There are no tactile demarcated pedestrian routes marked out with some handrails alongside the vehicular ramps between the levels, which is a helpful provision. No toilets are provided.

In this car park just over 2% of the bays provided are accessible (50/950) which is surprising low for a local authority run car park. Parking areas are clearly marked out but there are pillars close to the bays which may restrict parking. On level 8 the accessible bays have slightly ambiguous boundary markings that might risk drivers encroaching on the transfer zones of others. Entry to this car park is made more difficult as the machines where a ticket needs to be taken are set back beyond a kerb and so people need to reach further to get a ticket. The steep ramp into the car park is only suitable for vehicles and pedestrian access from the city centre is via steps or a platform lift. However, on the day of inspection the lift was out of order. This meant the only level access for wheelchair users was at the rear of the car park at level 8 which leads towards the University and two major hospitals. All floors within the car park are linked with three internal passenger lifts and these require a car park ticket to be swiped in order to be used. The swipe reader is set slightly too high at 1100mm AFL but the lifts meet Part M standards in all other respects. Signs in the car park stipulate that payment must be made at the payment machines in the lobby; however payment can be made from the driver’s seat at the exit barrier. Staff are located at level 8 in the office and said they are present during normal working hours but do not generally provide assistance. In addition to intercoms at the barriers, there are further help points at levels 5 and 8, mostly for out-of-hours use, comprising large red buttons which stand proud of the fascia for ease of use. In this car park there are wall mounted electric charger points and one is located in an accessible area. This should be standard practice but it is rare to see electric charging points in accessible bays. No toilets are provided at this car park.
**NEWCASTLE**

**QUAYSIDE, NEWCASTLE CITY COUNCIL**

**CITY ROAD, NE1 2AQ**

The Quayside car park is cut into the hillside, making pedestrian access a challenge for those with mobility difficulties as the pavements at entrance level slope significantly downwards left to right. In this car park just over 5% of the bays provided are accessible (26/499) which is reasonably close to the recommended number. The car parking bays are spread over each floor and there is access to a lift and a safe refuge on each level. The lift visits all floors and is roll on roll off (not requiring a 180 degrees turn) and meets Part M. Customers do not need to take a ticket on entry but instead need to purchase a ticket once they have parked. Permits rather than daily tickets and payment by SMS are also offered. Ticket machines are provided near to the accessible bays on each floor and the buttons stand slightly proud on the surface of the machine which makes them easier to use. There is a protective barrier around the payment machines which would limit access up to the machine but this is not such an issue as car parking for Blue Badge holders is provided free of charge. Staff are available 24 hours a day in the office on site. There are phone numbers on the wall of the car park to help people make contact. Staff are willing to offer hands on support where they can. No toilets are provided. The size of the bays is adequate but the marked zones at the sides of bays are too narrow and there are no transition or safety zones. Signage at the front of this car park indicates that headroom of only 1.9m is provided which is restrictive to drivers with large or converted vehicles. To enter the car park customers need to take a ticket from a barrier. These machines have poorly accessible buttons as they are flush with the face of the ticket machine making them hard to use for anyone without good manual dexterity. An intercom connects to the regional office, which is on site and staff say they would provide assistance wherever needed. There is a ‘call for assistance’ button located on the pay machines but being flush with the face plate surface it is not readily accessible. In addition there are yellow call point units attached to walls around the car park which could be easily pressed with the palm of a hand or a closed fist. However they are slightly high, being approximately 1150mm AML. Pedestrian routes inside the car park are not demarcated from traffic, some fire exits on one side of the car park are not accessible and no toilet is provided.

**ELDON SQUARE, NEWCASTLE CITY COUNCIL**

**PERCY STREET, NEWCASTLE NE1 7RZ**

Eldon Square car park is very distinctive and has its entrance on a junction. It is joined to Eldon Square shopping complex at ground level and at two further higher levels. In this car park 6.5% of the bays provided are accessible (32/492) which is more than the recommended number. The sizes of the accessible bays are adequate but they do not have the front transition space or safety zones marked. In addition the vast majority of the bays are on the roof where there is no cover and often disabled people take longer to get in and out of their vehicles so could get very wet in bad weather. Old style Orange Badge logos are displayed above some of the bays which could cause confusion. Entry into the car park is restricted to vehicles under 2m which could prevent some disabled people from being able to use the car park. Customers do not need to take a ticket on entry but instead need to purchase a ticket once they have parked. Permits rather than daily tickets and payment by phone and SMS are also offered. The ticket machines are not easy to reach as the reach range is from 1000mm up to 1300mm. The machines are located near the accessible bays in most cases but on the rooftop they tend to be up to 30m away and inaccessible to wheelchair users due to being set back around 400mm from the edge of a plinth on which they are located. Although Blue Badge holders can park free of charge, visitors from abroad and people of short stature may still need to use them. Staff are available all day and can be contacted from one of the help points located on the walls. Unfortunately these help points are located at 1300mm approximately and above kerbs which makes them difficult for wheelchair users to reach. The lift which serves the car park has no voice announcement, no support rail, back wall, mirror or tactile buttons but there is adequate space for a wheelchair user. No toilets are provided.

**NCP, JOHN DOBSON STREET**

**NEWCASTLE, NE1 18L**

The main entrance to the car park is on a level side street. Unfortunately the headroom restriction is less than 2m making its use impossible for people with larger vehicles. The restriction is indicated quite late in the journey possibly requiring some drivers to have to reverse which could be dangerous. In this car park 7/1552 accessible bays are provided by the exit stairs and lift core on each of the even numbered floors. This is just over 1% of bays which is way below the recommended number. The size of the bays is too narrow and there is no end of bay transition or safety zones marked. On one side of the bay, on every floor, there is a structural beam which is likely to restrict side access to vehicles. The wall mounted signage is poorly visible, being yellow on white. In one location it is contradictory, being a disabled access symbol with “parent and child parking bays only” stated below it. There is no directional signage to the accessible bays, although there is consistency in the location of the bays on each floor. All the bays are adjacent to the exit or the lift lobbies. The lifts appear to be Part M compliant and have adequate space for wheelchair users. Like many of the other NCP car parks surveyed tickets are issued at the barrier and the machines have the same design which although have ‘press for assistance’ buttons are not adequately proud of the machine front plates in order to facilitate pressing in. Call buttons on the ticket machines allow contact with remotely located staff only. There are no toilets provided at this car park.

**CHARING CROSS**

**ELMBANK CRESCENT, GLASGOW G2 4PF**

In this car park just over 1.6% of the bays provided are accessible (7/433) which is very low for a local authority run car park. The accessible bays are provided on the approach/forecourt which utilises the space in front of the building. However drivers need to first enter the car park and drive around the ground floor in order to reach them and the area is also not undercover. The size of the bays is adequate but the marked zones at the sides of bays are too narrow and there are no transition or safety zones. Signage at the front of this car park indicates that headroom of only 1.9m is provided which is restrictive to drivers with larger or converted vehicles. To enter the car park customers need to take a ticket from a barrier. These machines have poorly accessible buttons as they are flush with the face of the ticket machine making them hard to use for anyone without good manual dexterity. An intercom connects to the regional office, which is on site and staff say they would provide assistance wherever needed. There is a “call for assistance” button located on the pay machines but being flush with the face plate surface it is not readily accessible. In addition there are yellow call point units attached to walls around the car park which could be easily pressed with the palm of a hand or a closed fist. However they are slightly high, being approximately 1150mm AML. Pedestrian routes inside the car park are not demarcated from traffic, some fire exits on one side of the car park are not accessible and no toilet is provided.

**NCP, OSWALD STREET**

**38, OSWALD STREET, GLASGOW, G1 4PA**

This car park only had two accessible bays out of 555 spaces which is way below the recommended number. As it is even the bays provided are too small in their basic dimensions, and have walls at their boundaries on two sides which could cause access difficulties. There is also no end of bay safety or transition zones marked or directional signage to the accessible bays. Although there are only two bays marked as accessible there is a sign with the universal access symbol (wheelchair) mounted above a bay on an upper floor, but no surface markings present and the space is only standard size. The entrance to the car park is in a side road and signs indicate a low headroom of 1.88m. In this NCP car park chip tokens are used instead of paper tickets and these are collected at the entrance barrier by pressing on a large proud-standing button on the machine. The chip then falls into a slot and it may not be easy for some disabled people to collect from there as considerable dexterity is required. A ‘press for assistance’ button is provided at the entry / exit point machines. The button is flush with the face plate surface and so is not easy to operate with a closed fist or palm of a hand. There are no staff on site although they are contacted remotely when a call for assistance is made. Chip token payment is made at machines and a reach range of 550mm up to 1400mm AML is required to use the controls. To re-enter the car park the chip token reader needs to be swept. This is slightly high on the wall, being 1100mm AML. The assistance call button is also not very accessible, being flush with the surface of the machine. Level access is provided from the lift lobby to pavement outside via a ramped exit route. The ramp has no handrails. The gate to the pavement is opened by pressing a release button which is too far into a corner for wheelchair users to reach easily and is too high, being 1150mm AML approximately. No toilet is provided.
NCP, KING STREET WEST  
DEANSGATE, MANCHESTER, M3 2WY

This car park only had four accessible bays out of 554 spaces which is less than 1% of the total and way below the recommended 6%. Five accessible bays are advertised on the website but one of them has been converted into a car wash area. The size of the bays is adequate but the ends of the bay lack any safe transfer zone. There is no directional signage to bays and they are not that easy to find as they are not on the entry level but on level 2. To enter the car park customers are required to press a button which then generates a ticket. This button stands proud of the surface which makes it easier to push for people with dexterity problems. However, the ‘Press for assistance’ button is slightly recessed making it harder to use. Calls from assistance buttons on the machines are routed (via the Arndale shopping centre 500m away) to staff on site via their mobile radio units. Staff are available almost 24 hours a day and they said they are willing to assist disabled people in any way they can. There are three different ways to exit this car park; using stairs, a lift in the car park or directly through House of Fraser. The lift in the car park is suitably accessible with Part M basic features, the stairs lack compliant handrails and House of Fraser is reached through a set of double doors that are heavy with poorly shaped handles. The ticket payment machines are located on plinths and are set back from their edge making it difficult for wheelchair users to reach over. However different ways to pay are advertised which is helpful for disabled people struggling to use the machines. No toilet facilities are provided at this car park.

NCP, CHURCH STREET  
MANCHESTER, M4 1LX

The vehicle entrance to the Church Street car park takes drivers below ground floor level and then into the car park at the rear. There are six accessible bays provided in a car park with 700 spaces which is below the recommended number. The size of the bays is adequate but the front of bay transfer zones are not marked and the bays have no symbols in the centre to aid recognition. There are no directional signs to the accessible bays which are 300m from the entry point. To enter the car park customers are required to press a button which then generates a ticket. The machine extends horizontally to almost directly above the kerb edge which means the machine is very close to the driver’s window and the press button stands proud of the surface which makes it easier to push for people with dexterity problems. However, the ‘Press for assistance’ button is slightly recessed making it harder to use. No staff are in attendance at the car park to provide assistance. Disabled customers can exit the car park without having to pass through any doors but the route does involve going over speed humps across the vehicular route and surmounting either a kerb one side or a poor quality drop kerb the other to get onto the pavement. To reach an alternative exit customers need to use the lift and there are thresholds to both the lift lobbies which could cause problems for wheelchair users. The ticket payment machine requires a broad reach range and wheelchair users and people of short stature may not be able to reach some controls. No toilet facilities are provided at this car park.

RESULTS - MANCHESTER

NCP, KING STREET WEST  
DEANSGATE, MANCHESTER, M3 2WY

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NCP, CHURCH STREET  
MANCHESTER, M4 1LX

The vehicle entrance to the Church Street car park takes drivers below ground floor level and then into the car park at the rear. There are six accessible bays provided in a car park with 700 spaces which is below the recommended number. The size of the bays is adequate but the front of bay transfer zones are not marked and the bays have no symbols in the centre to aid recognition. There are no directional signs to the accessible bays which are 300m from the entry point. To enter the car park customers are required to press a button which then generates a ticket. The machine extends horizontally to almost directly above the kerb edge which means the machine is very close to the driver’s window and the press button stands proud of the surface which makes it easier to push for people with dexterity problems. However, the ‘Press for assistance’ button is slightly recessed making it harder to use. No staff are in attendance at the car park to provide assistance. Disabled customers can exit the car park without having to pass through any doors but the route does involve going over speed humps across the vehicular route and surmounting either a kerb one side or a poor quality drop kerb the other to get onto the pavement. To reach an alternative exit customers need to use the lift and there are thresholds to both the lift lobbies which could cause problems for wheelchair users. The ticket payment machine requires a broad reach range and wheelchair users and people of short stature may not be able to reach some controls. No toilet facilities are provided at this car park.

RESULTS - BIRMINGHAM

NCP, HOLLOWAY ALBANY  
ST JUDES PASSAGE, BIRMINGHAM B5 4AN

The headroom provided for this car park is 1.98m making its use impossible for people with taller vehicles. The height restriction is indicated with signage that is relatively small which may mean drivers would not see the sign until it was too late. This car park has eight accessible bays out of 485 spaces which is below the recommended number. The accessible bays are adequate in size and have safety zones correctly marked out. There is no directional signage to the bays but they are quite obvious being in front of you on entering. Entry to the car park is by taking a ticket and there is a ‘Press for assistance’ button on the ticket machine. Like the majority of NCP parking machines the button is recessed.

MOOR STREET CITY COUNCIL CAR PARK  
BIRMINGHAM, B5 4BU

This car park has a pedestrian bridge link into a department store at the upper level. 10 accessible bays are provided solely for disabled people and another 65 are provided which are designated for either child buggy users or disabled people. The total number of spaces in the car park is 1200. The accessible bays are all adequate in size (except for one) and all had transfer spaces on at least one side (except for one). There is no directional signage to the bays and they are not obvious, being on the far side from the entry. However, they are near to the exit and the lifts. Parking in the car park is free to Blue Badge holders but a ticket still needs to be collected at the barrier. ‘Press for assistance’ call points are provided on the machines but the buttons are flush with the surface so may be difficult to use for those with manual dexterity issues. Staff are available on location during car park opening times. Staff say they would direct disabled people to Shopmobility (in the Bullring Central car park) if they indicated they needed assistance. Help can also be summoned by pressing a button on a yellow wall unit. These are in each lift lobby but are too high on the wall; being 1400mm AFL. They are also poorly located at times, being in between vending machines making access difficult for wheelchair users. Pay machines are located in most of the lift lobbies and safe refuges are provided on each floor level in every stair lobby. The doors from the accessible bays into the lift and stairs lobby are commendably automatic. No toilets are provided at this car park.
CONCLUSION

The surveyed sample of city car parks indicates that it is likely that many car parks in the UK are not in general designed, equipped or managed to accommodate a large cross-section of disabled people adequately. These car parks were chosen because of their key locations in major shopping districts but the question of how representative they may be as a whole over Great Britain remains.

There are nevertheless some substantial shortfalls in accessibility standards in many large city car parking areas that this survey can confirm.

HEADROOM CLEARANCE

Headroom clearance in many of the car parks surveyed was well below the 2.6 m that British Standards BS 8300 stipulates as a minimum. The survey found that car parks ranged from 1.83 (London) to 2.25m (Birmingham). This reduced headroom can cause problems for disabled people using Wheelchair Accessible Vehicles (WAVs) or carrying rooftop hoists. In addition there was often poor signage informing customers what the height restriction was so some drivers may have found themselves having to reverse.

NUMBER OF SPACES

The Department for Transport recommends that the minimum number of designated accessible spaces should be at least 6% of the total capacity. Of the 20 car parks assessed, only one car park achieved the recommended value (6.5 %). Of the 19 remaining car parks, only one achieved 5% and all the remaining were less than 2%, including five with less than 1% and two that had none. These figures above do not include the provisions of Moor Street car park in Birmingham. This shows that the access needs of disabled people who need wider ways to get out of their vehicles and need to be near to access points are grossly under provided for. As parking on-street becomes harder more car parks are going to need to address their under provision of spaces.

DESIGN OF ACCESSIBLE BAYS

Car parking bays are required by Building Regulations to be at least 2400 mm x 4800 mm with a 1000mm wide safety or transition zone marked out with cross-patterned stripes along one side and at one end of the bay. This is to provide for adequate transfer space so a wheelchair user can get into their wheelchair once placed at the side of the vehicle. The boot space gives access for cars with rear hoists as well as for the wheelchair user (or support worker) to get a wheelchair or scooter out of the car safely without having to share the area with moving vehicles. In the vast majority of car parks the accessible bay sizes were adequate. However, safety zone widths, where provided, were sometimes too small to allow access by a wheelchair user. Several car parks had columns that restricted access to bays (or their transition zones), which were otherwise adequately sized.

SIGNAGE TO ACCESSIBLE BAYS

British Standards state that a sign or, if appropriate, signs should be provided at the entrance to each car park and at each change in direction to direct disabled motorists to designated parking spaces. This was missing in well over half the car parks, not counting those that had bays clearly visible from the entrance or approach, forcing disabled drivers to tour around to try and find them. This was often a problem where bay markings were poor and there was no wall signage, since if the bays were occupied, they were very hard to identify.

BARRIER ACCESS

In the vast majority of car parks tickets are issued at machines situated at entrance barriers. Where they were necessary, the control buttons used to prompt for a ticket were usually slightly proud of the machine surface which thereby facilitates use for those with manual dexterity issues who for example could then use the palm of their hand or a closed fist to operate it.

All too often, however, the assistance call buttons were not so accessible, being for example less prominent and sometimes also at the upper end of the height range required. In many cases they were partly recessed into the machine(s) which could make it far harder or impossible for some disabled people to use. This was found at machines for drivers both at the entrance barriers and at the exit points. No intercom facilities on any of these machines at barriers or other pay points displayed any hearing enhancement facility being available to facilitate hearing aid users to use their T-switch / telecoil whilst listening for a response.

CARRIER PAYMENT MACHINES

Payment methods encountered were mostly by use of a choice of cash or credit/visa cards, and these were most often located on machines within the car park (drivers having to park, shop and pay at a ticket machine on returning to the car park).

British Standards recommend that the machine should be as close as possible to the accessible bays, on a route that is clear of obstructions, and in such a position as to allow clear access to the dispenser by a wheelchair user. British Standards also state that wherever there is a ticket machine it must always be at a height suitable for wheelchair users, only where there are two (or more) different machine heights provided can one of them be at the upper height for ambulant people. In the survey only one car park offered dual height ranges in order to accommodate wheelchair users. These standards can be beneficial even where Blue Badge holders park for charge, since some disabled people such as those of short stature may not have a Blue Badge.

Payment means on the machines often required the use of Personal Identification Number pads, although one or two commendably only required the debit or credit card to be inserted into the machine and processed before it would be returned. Occasionally but rarely, alternative payment by phone, by SMS or by manual booking was also possible.

Sometimes secondary payment facilities were provided at the exit barrier machines (used from the driver’s seat), but often signage indicated that this could not be done (signs had simply not been updated to reflect changes): Disabled drivers may benefit from these additional facilities, especially where the pedestrian machines are inaccessible to them, for example where they are set back on plinths, as was the situation encountered at Eldon Square in Newcastle. Where they are not indicated with the correct signage at the exit points there is an unnecessary loss of benefit to disabled people.

HELP POINTS

The survey showed the majority of car parks had help points installed on the ticket barrier machines and payment machines. The press for assistance call buttons were sometimes slightly proud of the machine surface which would facilitate use with the palm of a hand or a closed fist. This is important for those with limited manual dexterity or arthritis for example. Sometimes, however, the buttons were poorly accessible and in many cases lay flush with the machine face plate.

A minority of car parks had separate call points comprising the same yellow wall box units with a big red help button. These units provided by far the most accessible design compared to those fitted onto ticket machines, with high visibility wall units, good visual contrast to the call button and a clearly accessible shape / design that could be operated with ease. The locations of such units unfortunately failed to make the most of their potential, with installations being sometimes too high and difficult to get near, due to their position above or beyond restricting kerbs for example. No hearing enhancement facilities were indicated as being available to facilitate hearing aid users to use their T-switch / telecoil whilst listening for a response on any of the intercoms / help points.

STAFF AVAILABILITY

Some car parks were attended by staff, who usually appeared keen and willing to help. Sometimes they were present 24 hours a day, being on rota throughout the night and located in an office or cabin onsite. Comments made by them at the time of the survey were around a pledge to help ‘wherever it was needed’. One or two London providers said they would not provide assistance to disabled drivers, however, because it was either not something that they saw as their role or because they thought that they were simply too busy to do so.

NCP car parks were most often unstaffed during the surveying. Many operated using a central control point to which assistance calls were routed and staff were shared between car parks across a city. Most car parks were remote to the call centres, and some said to be over 20 minutes from where help was dispatched. In London the travel times were expected to be longer.

DISABLED BAY ABUSE

Only on two occasions were cars noticed parked in accessible bays without Blue Badges being apparent. During the assessments, one or two car parks were using accessible bays for storing boxes or for temporarily housing their cleaning machinery.

LIGHTING

Lighting above accessible bays was sometimes quite poor in providing illumination. As well as causing problems for visually impaired passengers this could hamper those using a hoist for example or deploying equipment such as a wheelchair. Sometimes installed lighting did not work, was not switched on, or was in need of cleaning.

PEDESTRIAN ACCESS ROUTES

The Building Regulations in general require ‘level access’ to be provided between pedestrian entrances / exits and accessible facilities. This does not necessarily mean some storey provision between car parking and shopping, but refers to the use of Part M compliant lifts, ramps and steps where there are level differences that need to be overcome.

The survey established that pedestrian routes from accessible bays were generally provided with level access, with a good standard of provision in terms of surface. However it also found that occasionally access barriers such as heavy doors and for example a lack of drop kerbs in the surrounding links to shopping areas were overlooked.

In most car parks there were no separately demarcated pedestrian routes.

Poor design of speed humps also presented occasional barriers or hazards since these were sometimes on shared pedestrian routes to and from accessible bays and shopping areas, with no alternative paths.

In most cases access and emergency egress routes were shared, although some barriers on some egress routes were found including thresholds.

DOORS

Both Building Regulations and British Standards require doors to be adequately wide, with suitable opening forces, handles and vision panels. It was found that in many cases there were commensurately either no doors along the main exit routes to shopping areas or there were only automatic doors to negotiate. However, when provided, for example when exits were via lobbies, the doors were sometimes heavy to open and had difficult handles to pull on, often positioned higher than recommended. Frequently the vision paneling was poor.
CONCLUSION

STAIRS

Stairs are required by Building Regulations to be fitted with handrails that are rounded or oval, and these as well as steps should have clear visual contrasting. British Standards very much restate these requirements.

The survey revealed stairs provided in the car parks were almost everywhere poor in the amount of visual contrast provided to the stair nosings (most had none in fact). Handrails were also frequently missing from at least one side of flights and were of a design that would not be easy to grasp. Lighting on stairs was also poor and often inconsistent, with illuminated sections followed by very dark areas.

LIFTS

Some lifts let down accessibility to car parks, with many being substandard in maintained quality, broken down and under size. Some were not suitable for use by wheelchair users or ambulant disabled people due to other reasons such as the lack of a mirror on the rear wall or no handrails being fitted and in the Oxford Street car park no lift had been provided making the car park completely inaccessible to people with mobility problems.

PEDESTRIAN EGRESS

Means of escape is not covered in accessibility standards but by overriding provisions of health and safety law and the Building Regulations Part B. Fire exit routes out of the car parks nearly always coincided at least in parts with the main pedestrian routes in or out. Where separation occurred from the main route to shops or streets, fire exit doors often had inaccessible furniture such as break glasses and bolts fitted, and were often up a small but significant threshold making independent escape more difficult or even impossible for some wheelchair users along some routes.

WC PROVISION

WCs provision in car parks was scarce and those provided in the shopping centre car parks were the only ones to meet basic requirements. In the three car parks elsewhere where they could be found, two were fairly accessible for disabled people, with only minor adjustments such as handrails being required.

It is hoped that this brief investigation of car parks across the UK improves awareness of the barriers that disabled people face. Furthermore the necessity for a renewed approach to tackling the inequality of access provided in car parks that many

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The policy of the DDA (now Equality Act 2010) is not a minimalist policy of simply ensuring that some access is available to disabled people; it is so far as is reasonably practicable, to approximate the access enjoyed by the rest of the public. Accordingly, the purpose of the duty to make reasonable adjustments is to provide access to a service as close as it is reasonably possible to get to the standard normally offered to the public at large.

Cross, Penshore (2002) Fam.1, para.105: “to provide access to a service as close as it is reasonably possible to get to the standard normally offered to the public at large”. Royal Bank of Scotland Group Plc v Allen (2009) EWCA Civ 1213 concerned a wheelchair user who was unable to physically access his local branch. The Claimant requested the installation of a platform lift to rectify this. The bank refused and argued that it had already made reasonable adjustments because Mr. Allen could utilise its services via telephone and the internet plus he could use other branches.

The Court of Appeal held that the relevant service was the provision of banking facilities at the branch. Unless a lift was installed, wheelchair users were unable to gain access to the branch and could not use facilities that were available to those who were not disabled. Equalities legislation required the bank to do more than provide a decent alternative, the bank was under a positive duty to ensure that the service was as close as possible to that offered to the general public. The provision of telephone and internet were not the same as the provision of traditional face-to-face banking. The means by which a service was delivered was often an integral part of the description of the service.

A similar conclusion was reached the Court of Appeal in Ross v Ryanair Ltd, & Stansted Airport Ltd. [2004] EWCA Civ 1751. The case concerned a man who suffered from cerebral palsy and required a wheelchair to get from check-in to the aeroplane to board his flight. Ryanair would only permit him use of a wheelchair if this was hired from the check-in desk. It contended that it was reasonable for a wheelchair to come from another provider.

The Court of Appeal disagreed with Central Trains. Since the train company conceded that cost was not an issue and the purpose of the duty to make reasonable adjustments is to provide access to a service as close as it is reasonably possible to get to the standard normally offered to the public at large.

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Other Legal Solutions

According to the House of Commons Library Note SN1360 dated 9th July 2012, a November 2001 produced by the then Labour Government gave its view on the abuse of disabled spaces at supermarkets, and what was stated there must be directly applicable to off-street car parks.

“Where there is suspected misuse of marked out disabled parking bays in private car parks, it should be brought to the attention of the management of the store or premises concerned so that they may consider effective action to enforce the parking restrictions in their car parks. If, however, in the interests of supermarkets and other stores to enforce their disabled parking bays as unauthorised use can lead to loss of trade if disabled people are unable to shop at their stores.

It is the department’s view that it is also possible in law for the owners of a private car park to agree with the local authority that a parking place order be made in respect of that car park. Conditions of use can then be enforced as if they were a local authority car park, with penalties or excess charges levied on offenders. Such an agreement, which would enable the local authority to make an order regulating the use of the disabled parking spaces or the entire car park, does not require the land to be transferred by sale or lease to the local authority. Parking authority or not, the local authority in terms of the order, for instance, parking in a reserved space would be an offence. To be effective, any arrangement along these lines would of course require commitments from the local authority in terms of enforcement activity.”

It has therefore been noted as possible for owners of private car parks to work towards enforcing parking with local authorities for over 10 years and there has apparently been little motivation to do so.

So what if you have an issue with an off-street car park?

We have recently been contacted by a disabled motorist who encountered difficulties in accessing one car park at Cavendish Square, Oxford Street which features in this report. His story is illustrative:

“I recently travelled to central London for a meeting and decided to park in an underground car park in Cavendish Square. I should point out that I am disabled and drive an adapted Volkswagen van from my wheelchair. I was surprised to find that there were no disabled parking bays inside the car park. I decided the only solution was to park diagonally across to bays so that my wheelchair lift will fit on the side beneath my van could operate freely without another vehicle obstructing it. However, I received an even bigger surprise when I tried to exit the car park because, firstly, there was a step up to the exit point and, secondly, when I looked at the sign above the exit I saw that the only means of getting out was via a staircase. I therefore had no option but to get into my van again and leave the car park. I subsequently drove for some 45 minutes in search of a parking space on the road but, by the time I’d finally found one, I was too late for my meeting.

As you can imagine I was extremely put out by the entire situation. I am also very concerned that whoever owns the car park in Cavendish Square had not adapted the premises to make them wheelchair accessible. I believe the Inequalities Act was supposed to cover this. If that is the case, why are the owners of this car park allowed to disobey the law? I felt so annoyed about what happened to me that I am considering suing the car park. Do you think I might have a case?”

The simple answer is, in our view, yes. It should also be noted that the Equality Act has been drafted to provide for the ability of a carer, or an associated individual to also claim for compensation where they have likewise suffered less favourable treatment by association with the disabled service user. If the complainant above had a carer who was likewise disadvantaged, s/he would also have a claim.

We noted when reviewing the publically available face of the car park in question via oxfordstreet.com that the car park is listed as not suitable for people with disabilities. It occurs to me to point out that a disclaimer does not absolve them from legal liability; it is not sufficient to advise that a reasonable alternative is to use a different car park for example.

In conclusion, the prospects of succeeding in a compensation claim for the complainant in the case study above is very strong.

How should complaints be made, and what could be achieved?

It does not necessarily need a lawyer to help with the challenge but there are some key practical points for disabled motorists to bear in mind if they want to complain in person. Firstly, suffering in silence helps no-one. Without valid complaints, backed up by legal assistance when required, there will be no incentive to improve the facilities. Complaints should constitute a simple letter or e-mail initially (Unity can supply a template on request). The letter should give sufficient detail to prove that the motorist was present, and should be prompt to allow evidence for CCTV footage to be preserved. Ideally using camera phones where possible, photographs should be taken of the disability and ideally with a date setting present.

On each occasion that a disabled motorist encounters difficulties with access to a car park facility there is a distinct cause of action against that car park owner. Compensation for discrimination claims can include an award for injury to feelings known as “Mobility Guidelines”. These were set by the Court of Appeal and provide guidance for the correct amount of compensation. Basically these are as follows:

- Upper band: £18,000 – £30,000. The most serious cases, such as where there has been a lengthy campaign of discriminatory harassment. Only in the most exceptional case should an award of compensation for Injury to feelings exceed £30,000.
- Middle band: £8,000 – £18,000. The middle band should be used for serious cases, which do not merit an award in the highest band.
- Lower band: £1,000 – £6,000. Less serious cases, such as where the act of discrimination is an isolated or one-off occurrence. In general, awards of less than £1,000 are to be avoided altogether, as they risk being regarded as so low as not to provide proper recognition or injury to feelings.

It seems to me that there is an obvious attraction to improving accessibility off street car parks. As our population ages, unless there is a change to the definition of disability as rehearsed above, a substantial proportion of the population will become disabled and subject to the protection which the Equality Act provides. It does not always follow that people with disabilities have less income than non-disabled people, or that ‘disabled’ means someone without limbs; it is simply someone whose ability is impaired.

DMUK has recently reported on a legal action with which Unity Law has been involved for one of its members against Tesco where a disabled motorist complained that despite a commitment to police those bays at one London location and issue fines, they failed to do so. This case was brought on the basis that failure to do so amount to a barrier to access to the store and amounted to discrimination. A reasonable adjustment would have been to issue the fine, and properly police the bay, in accordance with their own policy.
BUSINESS CASE FOR IMPROVEMENTS TO CAR PARKS

The following facts may be useful to outline the wider economic importance of improving facilities to disabled service users.

• 1 in 3 people are disabled or close to someone who is. [UK Census 2001]

• There are 10.8 million disabled people in Britain, which represents around 20% of the population. [Family Resources Survey, 2008]

• The spending power of disabled consumers in the UK is between £50-80 billion. [DWP, 2004]

• The spending power of disabled consumers in the USA is over $220 billion. [The Global Economics of Disability'. IPS Insights, April 2010]

• Two in four disabled people in the UK have experienced difficulties accessing good and services in the past 12 months. [Rights and Reality’, Leonard Cheshire, 2010]

• 83% of disabled customers have taken their business to a more disability confident competitor. [EFG/RADAR ‘Walk Away Pound’ survey, 2005]

• One in ten disabled people have had difficulty buying a product or service they wanted. [’Experiences and Expectations of Disabled People’, ODI, July 2008]

• In 2009, disabled people spent £2 billion on domestic holidays in the UK. [At Your Service’, Visit England, 2011]

• “With over 200 million visitors a year, more than 300 shops and 5 million square feet of retail space, Oxford Street lays claim to being London’s busiest street”. [www.londontown.com] As a mecca for UK shoppers, accessible parking in this vicinity ought to be in abundance.

It follows that there is a very significant incentive to improve these facilities and the implication of failing to do so could be to the detriment of the balance sheets of those corporately responsible and of businesses nearby who rely upon income from disabled customers, their friends and families, both in terms of loss of trade and in compensation cases.

Unity Law undertakes this work on a No Win No fee basis, with no financial risk to the Claimant. Legal costs are paid by the companies which we succeed against as well as any compensation, together with the cost of any remedial work.

In short, this report exposes a number of car parks to potential for very costly legal actions for failing to make reasonable adjustments to accommodate disabled service users. In our experience, it is unlikely that those companies will be indemnified by Public Liability insurance policies for claims against them for disability discrimination. They may therefore consider it much more cost effective simply to make the changes required as outlined in this report and by its careful research.

Disabled Motorists are increasingly frustrated by the lack of adequate provision for them, and increasingly aware of their ability to do something about it. Quickly.

The law is increasingly able to respond quickly and effectively to facilitate positive improvements.