

**REPORT TO: PLANNING AND TRANSPORTATION COMMITTEE
25 FEBRUARY 2002**

REPORT ON: BLUE BADGE PARKING SCHEME FOR DISABLED PEOPLE

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 74-2002

1 PURPOSE OF REPORT

- 1.1 To inform the Committee of the Council's responses to the discussion paper issued by the Department of Transport, Local Government and the Regions (DTLR) entitled The Blue Badge Parking Scheme for Disabled People.

2 RECOMMENDATIONS

- 2.1 The Committee is asked to:
- a note the responses to the aforementioned discussion paper;
 - b approve the submission of these to the DTLR Mobility Inclusion Unit.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications associated with responding to the paper.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 There are no direct implications.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 It is often the environment that is a physical barrier to movement for people with mobility impairment. This report addresses some of these issues.

6 BACKGROUND

- 6.1 The Disabled Person's Parking Badge Scheme was introduced in 1971 to give disabled persons some concessions from waiting restrictions.
- 6.2 A review of the regulations is currently being carried out by the DTLR to update the scheme in order to meet the needs of those who need the concessions for independent mobility, to minimise abuse and be fair, robust and justifiable.
- 6.3 A copy of the consultation document will be available in the member's lounge.
- 6.4 The document is divided into the following sections and the recommended responses are detailed as follows:

Eligibility

To qualify for the automatic right to a badge the criteria are fairly rigidly defined eg in receipt of the higher rate of the mobility component of the Disability Living Allowance.

There is an additional discretionary criterion. The assessment for this is carried out by the Local Authority in consultation with the applicant's GP. This discretion has resulted in great inconsistencies in application throughout the country.

Comment:- The GP should be removed from the process in order to prevent compromising the doctor/patient relationship. Independent assessment should be carried out by a body such as the Medical Advisory Service in conjunction with Occupational Therapists. The guidelines for the discretionary criterion should be tightened up to reduce widely differing applications.

Administration

There is a suggestion that all responsibility within a Local Authority for the provision and control of disabled badges and associated driving facilities should vest with the Planning and Transportation Department or its equivalent instead of Social Work.

Comment:- The Planning and Transportation Department are not qualified nor have detailed knowledge of mobility problems whereas Social Work Department does. Conversely the Planning and Transportation Department are experienced in traffic matters. It is recommended that the existing arrangements of the two departments being involved continues, as there have been no major problems experienced within this Council.

Period of Issue

Under the existing arrangements a disabled person's badge has to be renewed every three years. It is considered by some that in many cases the person's mobility problems are permanent and the badge should be for life. By making it permanent it would save on administration.

Comment:- Some of the problems encountered at present are the non-return of equipment, designated parking spaces provided at homes becoming redundant following the client moving house, disposing of their car or even death not being notified. If the badge is renewed at a specified interval, checks can be carried out to satisfy the necessity for the continuing provision of facilities. Withdrawal of the badge within the three year period for no longer meeting the criteria should not present a problem.

Fees

Discussion on the level of fee for the issue of a badge is invited. The current fee is £2 which is considered too low to be worth collecting. Views are sought on an acceptable fee.

Comment:- £10 is considered more appropriate to cover the administration costs. It should be borne in mind that a badge holder does not pay for any parking on-street or in any Council operated car park.

Appeals

Opinion is asked on the introduction of an appeals procedure to deal with application refusals and badge withdrawals.

Comment:- If appeals are to be permitted they should be considered by an independent body such as the Medical Advisory Service. If the discretionary criteria were more strictly applied then the scope for appeal would diminish.

Renewal Process

The renewal process is seen as being too lax and views are requested on how to deal with this.

Comment:- Any relaxation or disparity in assessment leads to abuse and a weakening of the system.

It is considered that regular reassessment is advantageous but may not be necessary in every case depending on the permanence of the disability. Reminders for renewal of the badge increase the administrative workload. The badge does have the expiry date clearly displayed. When a renewal notice is issued the opportunity could be taken to check on the provision of facilities and equipment. A reminder to the client of their responsibilities on where to park or not to park could also be included.

Duplicate Badges

Views requested on the issue of duplicate badges.

Comment:- Duplicate Badges should be allocated a new number to reduce abuse.

Temporary Badges

Currently there is no provision for temporary badges.

Comment:- Temporary badges should be issued to those with severe mobility problems although they should not be considered if the impairment is assessed to last for less than six months.

Institutional Badges

Views requested on the issue of Institutional badges.

Comment:- If the Institution is fairly assessed there should not be a problem.

Concessions

At present there are differences in conditions between England and Wales and Scotland and also in some of the London Boroughs.

In Scotland a badge holder can park all day whereas in England and Wales there is currently a 2 hour maximum stay.

Comment:- Conditions should be consistent throughout the country and it is suggested that a maximum stay of 3 hours would be fairer. The demand for disabled spaces is growing and turnover is considered advantageous. If stricter criteria were applied the need for local schemes would diminish. At present Dundee has no such local scheme.

Pressure is put on the Council to provide additional designated on-street parking spaces in areas where there are designated off-street spaces in privately operated car parks. These spaces are available but the operators levy a charge which is resented by the disabled. It is suggested that in future as part of any development, whether private or public that a percentage of free parking for the disabled be provided as a condition of the planning consent.

Enforcement

Views are sought on whether current levels of enforcement are adequate and if stiffer penalties for abuse are necessary.

Comment:- Higher penalties will not solve the problem of abuse if the regulations are not enforced. Most contraventions can be dealt with by the issue of a fixed penalty notice. Badges should be open to inspection by police, traffic wardens and parking attendants. The higher the risk of detection the less the chance of abuse. Therefore enforcement should be encouraged. Less abuse of the system will improve matters for the genuine law abiding badge holders.

Abuse of the badge on two occasions in the life of the badge should result in the badge being withdrawn.

Detection of non-disabled abusers is a problem and this is the area where more severe penalties may be required. The ability to check the badge by all enforcing officers may lead to greater detection and less future abuse. More concise information on the conditions attached to the badge at renewal would remind the holder as to their responsibilities. There is a perception amongst many that they can park anywhere.

7 CONSULTATIONS

- 7.1 The Chief Executive, Director of Finance, Director of Support Services, Director of Corporate Planning, Director of Social Work, Director of Neighbourhood Resources and Development, the Legal Manager and the Chief Constable have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

- 8.1 None.

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