

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE – 13 MARCH 2002

DISABLED PERSON'S PARKING BADGE SCHEME (BLUE BADGE SCHEME)

Report By Director of Development Services

1. PURPOSE OF REPORT

- 1.1 To advise the Committee of the Department of Transport, Local Government and the Regions (DTLR) review of the issues relating to the blue badge parking scheme for disabled people and to request the Committee to authorise the Director to respond to the recommendations in the review as discussed in the report. This paper only relates to those issues that directly affect Roads & Transportation policies. A separate report is being prepared by the Head of Social Services covering issues falling within his remit.

2. BACKGROUND

- 2.1 The disabled person's parking badge scheme was introduced in 1971. There have been a number of changes to regulations over the years and in April 2000 a new design of the disabled parking badge was introduced, in line with EU recommendations to harmonise the design of badges across Member States. No changes were made to the eligibility criteria or the parking concessions available under the scheme. The new blue design is being phased in over the next two years.
- 2.2 In Scotland, responsibility for the scheme and any associated regulations, lies with the Scottish Parliament.
- 2.3 Within East Ayrshire Council responsibility for the issuing and control of badges lies with the Department of Education and Social Services. The Roads Division designates parking areas on-street and off-street and liaises with the Police on the regulation of parking.

3. THE DTLR REVIEW

- 3.1 The DTLR, working with the Scottish Executive, the National Assembly for Wales and the Department for Regional Development in Northern Ireland commissioned consultants to carry out a review of the current procedures in order to support the development of an updated mobility scheme for disabled motorists which:
- Meets the needs of those who need the concessions for independent mobility
 - Minimises the potential for abuse

- Is fair, robust and justifiable
- 3.2 Following discussions with focus groups both at Local and National level a discussion paper was drawn up which summarises the main issues that were considered most important by the discussion groups. The Secretary of State invited the Department's statutory advisors, the Disabled Persons Transport Advisory Committee (DPTAC) to co-ordinate responses to the discussion paper and submit a report by the end of April 2002. Responses to the main recommendations in the discussion paper are requested to be submitted to the DPTAC by 15 March 2002.
- 3.3 Since many of the recommendations in the DTLR Review relate to the issue and administration of disabled person's parking badges, matters which are the responsibility of the Department of Education and Social Services, discussions were held between officers from Roads and Social Work. The Social Work Department has also ensured that the East Ayrshire Disabled Forums have received copies of the discussion paper, to enable them to respond directly to the DTLR.
- 3.4 In parallel with this consultation exercise, the Scottish Executive are promoting traffic regulations to allow vehicles displaying a disabled person's badge issued in Northern Ireland or any EU member state to be exempt from waiting prohibitions or restrictions which already apply to badges issued in Scotland, England or Wales. The regulations will also clarify that there should be no time limit on waiting by Blue Badge holders on single or double yellow lines in Scotland, since this remains the Scottish Executive's policy.

4. THE PROPOSED RESPONSES FROM EAST AYRSHIRE ROADS & TRANSPORTATION

- 4.1 The key issues that affect Roads and Transportation policies, and the proposed responses are as follows (issues numbers refer to consultation report):
- 4.2 **Responsibility for the scheme within the Local Authority (issue 3.2).**

Proposed Response – This should remain with the Social Work Department, whose Officers have the necessary skills to judge the eligibility and social issues involved. Within East Ayrshire there is close collaboration between the two Departments to ensure that the social and road safety aspects of any issue concerning access for the mobility impaired are considered together.

- 4.3 **Disabled Person's Parking Schemes in a specific area available to local residents only (issue 4.2).**

Proposed response – Currently no such restrictions are applied in East Ayrshire. Restrictions to local residents could cause confusion and be difficult to enforce. However the discretion should be left to individual Local Authorities, as at present.

4.4 Permitted time limit for parking on yellow lines (issue 4.4).

In Scotland there is no time limit for parking on yellow lines, except where a loading ban is also in place, and this remains Scottish Executive Policy. Although this concession can result in some local problems of congestion, the Roads Division has not had to address any significant road safety issues to date as a result of this policy.

4.5 Ways to increase the effectiveness of checks made on badges (issue 5.2.5).

Proposed response – A photograph is essential for the prevention of abuse and the effectiveness of checks – the badges currently issued by the Council contain photographs. To allay security fears, the photograph should be on the reverse side of the badge and therefore not on display, but available to be shown to a Police Officer/traffic warden on demand.

4.6 The level of abuse by Badge Holders required before withdrawal of a badge (issue 5.4.4).

Proposed response – The current criteria of at least three relevant convictions before a badge can be withdrawn, with the right of appeal against withdrawal, should remain. A central database would assist in the collection of accurate information regarding such abuse.

4.7 Penalties following convictions involving abuse by non disabled people. e.g. larger fines or penalty points on driving licences (issue 5.4.7)

Proposed response – Introduction of points on driving licences for abuse by non disabled people may be a more effective deterrent.

5. LEGAL IMPLICATIONS

- 5.1 Depending on the outcome of the DTLR Review, some aspects of the scheme, for example eligibility criteria, concessions and enforcement are likely to be covered by Statutory Regulations. Other aspects, such as administration, will be covered by 'best practice' guidelines.

6. FINANCIAL IMPLICATIONS

- 6.1 Nil

7. RECOMMENDATIONS

- 7.1 The Committee is requested:

- a) to approve the proposed responses on the Roads related issues, as summarised in this paper;
- b) to note that the Department of Education and Social Services have been consulted and will be responding to the DTLR on issues affecting their service in relation to the review paper.

Stephen Chorley
Director of Development Services

SG/SH/YK
25 February 2002

LIST OF BACKGROUND PAPERS

- 1. Disabled Person's Parking Badge Scheme (The Blue Badge Scheme) – Discussion Paper**
- 2. Note on discussions between officers of Development Services and Social Services.**

For further information please contact Sandy Gillatt on 01563 555734

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AGENDA