

Cabinet

14th December 2011

Blue Badge Reforms



Report of Corporate Management Team

Report of Rachael Shimmin, Corporate Director, Adults, Wellbeing & Health

Councillor Morris Nicholls, Portfolio Member for Adult Services

Purpose of the Report

- 1 To provide information relating to the Blue Badge (Disabled Persons Parking) Reforms and to recommend an increase in the fee for a Blue Badge.

Background

- 2 The Blue Badge Scheme was introduced in 1971 under Section 21 of the Chronically Sick and Disabled Persons Act 1970 ('the 1970 Act') and gives a concession to disabled people to park where particular restrictions may otherwise apply.
- 3 There are approx. 2.5m blue badge holders nationwide, with 35,000 in Durham. 8,000-9,000 Blue Badge holders renew their badge each year. There are approx 3,000 new applications per annum.
- 4 In February 2011, the Government announced a major programme of reforms to the Blue Badge scheme to bring about improvements and more effectively address abuse and fraud. Two changes were introduced in June 2011 relating to eligibility for a Blue Badge:
 - An increase in the age that badges can be issued to children with specific medical conditions (from age 2 to age 3),
 - Continuous entitlement for severely disabled service personnel and veterans linked to specific tariffs of award under the Armed Forces Compensation Scheme
- 5 Additionally, further changes are due to become effective on 1st January 2012 including:
 - The creation of a national service (Blue Badge Improvement Service) with responsibility for providing all Blue Badges.
 - A legislative change to change to the design of the Blue Badge*.
 - A legislative change in the maximum fee that Local Authorities can charge for a badge up to a maximum of £10*.

* Legislation laid before Parliament in November 2011.

- 6 Local Authorities will continue to be responsible for decisions on whether or not an applicant is eligible for a blue badge and enforcement of the scheme.

The Blue Badge Improvement Service (BBIS)

- 7 The BBIS will be responsible for the production and distribution of all Blue Badges from 1st January 2012 and will charge Local Authorities £4.60 (plus VAT) for every badge produced. VAT can be re-claimed by the Council. This charge has been contractually fixed for 5 years and will include the following services:
- New high quality and secure blue badge design
 - Clock for display in the car to indicate the time a car was parked and leaflet explaining rights and responsibilities
 - Delivery of the Badge through 2nd Class post
 - National database to deliver a country wide service to help combat fraud/abuse
 - On-line application, eligibility checker and payment facility
 - New national helpline
- 8 Northgate Information Solutions were awarded the BBIS national contract for 5 years following an European Union tendering exercise undertaken by the Department for Transport. Durham County Council has entered into a 5 year agreement with Northgate Information Solutions for the provision of the above services.

Benefits of the Blue Badge Scheme

- 9 The Blue Badge scheme provides a range of parking concessions which enable eligible badge holders to park closer to their destination, including:
- Allowing badge holders to park free of charge and without time limit at 'on street' parking meters, pay-and-display machines and 'on street' disabled parking bays.
 - Allowing badge holders to park on single or double yellow lines for up to three hours in England, unless there is a ban on loading or unloading.
- 10 The DfT estimate that the average annual value of a Blue Badge is £100 - £135 in terms of free parking.
- 11 However, abuse and fraud of the Blue Badge scheme is an increasing problem. The Attorney General's Office estimate that up to 0.5m of the 2.5m Blue Badges in circulation could be abused, resulting in lost parking revenue to Councils of £46m per annum.
- 12 Key problems that need to be addressed include:
- People obtaining a badge who don't need one
 - People using the badges of friends/relatives
 - People copying/forging badges
 - People parking in disabled parking bays who are not badge holders
- 13 The DfT Blue Badge guidance states that 'Local authorities should consider ways of preventing abuse and misuse from the outset' and also stresses the importance of authorities developing an enforcement strategy.

The Blue Badge Fee

- 14 In a letter from the Parliamentary Under-Secretary of State for Transport dated 13th September, 2011, Councils were recommended to review their charging policy in preparation for a 1st January 2012 implementation of BBIS.
- 15 Councils have been able to charge a £2 fee for a Blue Badge since 1983, with the vast majority of Councils currently charging this fee. Implementation of the reforms will result in an additional cost to the Council unless it increases the current fee for a Blue Badge.
- 16 Additionally, the County Council does not currently charge a fee for Blue Badges which are issued to people with a terminal illness. These badges are issued for 12 months on recommendation from the Macmillan Nurses and are provided within 24hrs. There are approximately 400 badges issued per annum. From 1st January, 2012, the cost of a fast tracked (24 hours) Blue Badge will be £7.05. This is made up of a £4.60 charge for the Badge and £2.45 for fast tracked delivery. It is proposed that the Council continues to provide this service free of charge to people who have a terminal illness.
- 17 The Council has taken into account the additional services and costs involved in implementing the Blue Badge reforms and proposes that a £10 fee is charged from 1st January 2012.
- 18 The £10 fee would be made up of the following elements:
- The national fee for a blue badge to be charged by the BBIS to local authorities
 - Additional BBIS costs for services such as
 - leaflets,
 - fast tracked applications for people with a terminal illness
 - Local setup and maintenance costs such as ICT developments, publicity, additional postage etc
 - Necessary improvements to the way that Local Authorities assess applications against eligibility criteria (including greater use of Occupational Therapy mobility assessments)
 - Enforcement of the parking concessions provided by the Blue Badge scheme, including targeted work by a national team.

Views of Service User Group Representatives/Badge Holders

- 19 Research had already been undertaken by the DfT in 2008, when 1003 badge holders were interviewed. Over half (59%) thought that between £3 and £10 would be a reasonable fee for a blue badge; 25% responded that over £10 would be reasonable.
- 20 The Council has also held a series of events with Service User Representative Groups during November to seek their views on a £10 fee.
- 21 Seven events were held and 111 responses were received from service user representatives (**See Appendix 2** for list of representative groups who provided views).

22 The table below summarises responses to the key questions:

Question	All respondents	Blue Badge Holders Only
%age who strongly agree/agree that more should be done to prevent and detect the misuse of Blue Badges	99.1% (107 of 108 responses)	100% (58 of 58 responses)
%age who strongly agree/agree with the councils proposals to charge £10 for a Blue Badge in order that the Council can improve the Service to badge holders and take steps to prevent abuse and misuse of the scheme	88.4% (92 of 104 responses)	90.9% (50 of 55 responses)
%age of eligible people who would still apply for a 3 year blue badge if the fee was raised to £10.	82% (86 of 105 responses)	89.1% (49 of 55 responses)

23 In addition, a number of people did not express a view. Only 1 of the responses from existing Blue Badge holders (1.9%) strongly disagreed/disagreed with the £10 fee.

24 Several service user representatives also provided written comments, including

- *'I agree with the new proposal to increase the cost to £10, however stronger checks must be done on new applications'*
- *'We agree with the councils proposals and hope that the actions proposed make a big difference to stop abuse of the blue badge scheme'.*

Feedback from Other Local Authorities

25 Initial indications from Councils in England are that almost all are proposing a £10 fee for a Blue Badge. Additional feedback from North East Councils indicates that almost all are intending to charge a £10 fee for a Blue Badge.

26 The latest feedback (November 2011) available from the DfT Blue Badge Website indicates that of 13 authorities nationally who have provided a response, 12 are planning to raise their fee level to £10 and only 1 authority is still considering options.

Equality and Diversity (EIA)

27 An Equality Impact Assessment is attached at **Appendix 3**, which has also taken into account the key conclusions from the national EIA undertaken by the DfT.

28 The main groups who use the Blue Badge Service are:

- People with a Disability and
- Older People (two thirds of current badgeholders are aged 65 and over)

29 The key issue to consider was in relation to the equality impact that a proposed increase in Blue Badge fee would have on the protected characteristics. Based on the information available there is no evidence to suggest that any of the protected characteristics will be negatively impacted by this change, with the vast majority of those consulted supporting the increase in fee, and over 89% of existing Blue

Badge holders responding that it would not prevent them from applying for a Blue Badge.

Recommendation

- 30 Cabinet to agree that a £10 fee is implemented for a Blue Badge effective from 1st January 2012.
- 31 Cabinet to agree that fast tracked Blue Badges for people with a terminal illness continue to be provided free of charge.

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Graham Bainbridge, Head of Finance, Adults, Wellbeing and Health Ext: 3388

Appendix 1: Implications

Finance	Legislation will enable Local Authorities to charge up to £10 for the provision of a blue badge
Staffing	Not Applicable
Risk	Not Applicable.
Equality and Diversity / Public Sector Equality Duty	An equality impact assessment which identifies that the vast majority of feedback from Service User representatives is supportive of the County Councils proposals
Accommodation	Not Applicable
Crime and Disorder	The Department of Transport reforms are intended to deter/prevent fraud and abuse of the Blue Badge Scheme
Human Rights	Not Applicable
Consultation	The Department for Transport have undertaken consultation at a national level with local authorities, voluntary and disabled groups and badgeholders. Durham County Council has considered views of service user representatives.
Procurement	Northgate Information Solutions has been awarded a 5 year contract by Dept for Transport to operate the national Blue Badge improvement Service (BBIS). The County Council has agreed a 5 year access agreement with Northgate Information Solutions for use of the BBIS.
Disability Issues	Reforms to the Blue Badge scheme are intended to improve the service provided to eligible disabled people.
Legal Implications	Implementation of the Blue Badge reforms involve changes to legislation, including raising the maximum fee that can be charged for a Blue Badge and legislative changes to the Blue Badge design. Legislation was laid before Parliament in November 2011.

Appendix 2

Consultation with Service User Representatives

Date	Group	Description	Number Providing Views
02/11/2011	Age UK	Local Branch which supports the well-being of older people	18
03/11/2011	Chester-le-Street Carers	Local Carers Forum/Support Service	7
09/11/2011	Durham Access Group	Disability Group for the Durham Area	20
11/11/2011	Learning Disability Parliament (Sedgefield Area)	Local Learning Disability Forum for Service Users	14
14/11/2011	Blind Life	Representative group for People with a Visual Impairment)	22
15/11/2011	Learning Disability Parliament	Countywide Learning Disability Forum for Service users	15
15/11/2011	County Durham Stroke Club (affiliated to the Stroke Association).	Representative Group for People affected by Stroke	15
Total			111

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

Section one: Description and initial screening

Section overview: this section provides an audit trail.	
Service: Adults, Wellbeing & Health.	
Lead Officer: Keith Forster, Strategic Manager, Performance and Systems	Start date: November 2011
Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate).	
<p>Reform of the Blue Badge Scheme</p> <p>According to national research by the DfT, the number of badges issued across the country has trebled in the last 20 years and is expected to increase further as the population ages. The objective of the blue badge reform programme is to address current problems especially those relating to fraud and abuse, improve operational efficiency, reduce public sector costs and improve customer service. The programme supports freedom and fairness and is targeted at addressing the mobility needs of the disabled people who need the most help to travel.</p> <p>The introduction of the national Blue Badge Improvement Service (BBIS) and structured charges will increase the cost of providing the Service to Durham County Council. Durham County Council currently charges successful applicants £2 for a Blue Badge (maximum amount permissible under statute). Changes in legislation laid before Parliament in November 2011 allow an increase in the fee for a Blue Badge from a maximum amount of £2 to a maximum of £10 per badge from 1st January 2012.</p>	
Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify) –	
General public particularly those with a disability, employees and elected members.	

Is a copy of the subject attached? No

If not, where could it be viewed?

Details are on the Department for Transport website under Reform of the Blue Badge Scheme. The DfT has also produced an impact assessment (dated 7 December 2010) and equality impact assessment (dated 29 October 2010). Both documents are available on the DfT website. The DfT equality Impact assessment identifies that local authorities will benefit from being able to charge a higher fee for a badge that more appropriately covers costs, efficiency savings from service delivery and social benefits from improvements to enforcement and new badge design. Badge holders will benefit from free parking and increased mobility due to proposed eligibility extensions and measures to tackle misuse and abuse. Around two-thirds of badge holders are over 65 who would benefit from customer service improvements and be able to park in spaces made available by improved enforcement measures. The reform programme will give local authorities the tools to run the scheme efficiently, deliver the scheme to the right people and target abuse/misuse.

Initial screening

Is there an actual/potential negative or positive impact on specific groups within these headings?

Indicate :Y = Yes, N = No, ?=Unsure

Gender	N	Disability	Y	Age	Y	Race/ethnicity	N	Religion belief	or	N	Sexual orientation	N
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How will this support our commitment to promote equality and meet our legal responsibilities?

The Blue Badge reforms aim to address current problems relating to fraud and abuse, as well as supporting fairness by ensuring that the scheme helps those genuinely in need of a blue badge (e.g. disabled people).

The reform includes the following:

- Use of independent assessments to ensure badges are issued to those who need them and on a consistent basis
- Issue of good practice guidance by DfT to authorities to help make improvement in scheme administration, eligibility assessment and enforcement.
- Implementing a new badge design which is harder to copy forge or alter and the use of a national database to enable enforcement offices to access information and reduce abuse.
- Raising the fee that can be charged from a maximum of £2 to £10. An increase in fee will allow the new badge design to be produced and will help the local authority costs more appropriately.
- Establishing a service improvement project (Blue Badge Improvement service) that will help reduce and prevent abuse and improve customer service. The project will also provide an on line application process.

What evidence do you have to support your findings?

The DfT completed an independent review of the scheme in 2008 with consultation with stakeholders. The DfT identify in their Equalities Impact assessment that research has taken place with Badge holders and this has shown that 75% of badge holders would go out less often without a badge and 64% would be more reliant on friends and family members.

The DfT EIA concludes that 'around two-thirds of badge holders are over the age of 65 and they would benefit from the customer service improvements and be able to park in spaces made available by improved enforcement measures.'

The EIA also includes evidence that 'The Blue Badge scheme gives severely disabled people access to vital services and a better quality of life by improving access to parking. The aim of the reform programme is to give local authorities the tools to run the scheme efficiently, deliver the scheme to the right people and target those who break the rules.'

The views of Service User Representatives were sought during October and November and identified broad support for the changes and the Councils proposal to charge £10 for a 3 year blue badge.

<http://assets.dft.gov.uk/publications/blue-badge-reform-equalities-impact-assessment/blue-badge-reform-equalities-impact-assessment.pdf>

Decision: Proceed to full impact assessment – Yes

Date: 21st November 2011

If you have answered 'No' you need to pass the completed form for approval & sign off.

Section two: Identifying impacts and evidence - Equality and Diversity

Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed.			
	Identify the impact: does this increase differences or does it aim to reduce gaps for particular groups?	Explain your conclusion, including relevant evidence and consultation you have considered.	What further action is required? (Include in Sect. 3 action plan)
Gender	No differential impact identified.	There are slightly more females than males that have a blue badge. Of 35,000 badgeholders, approx 52.5% are female compared to 47.5% males. The views of representatives of service user groups were sought and identified that both gender types were in support of the changes i.e. 85.3% of Males and 91.9% of females supported the councils proposal to charge £10 for a blue badge. 73.8% of males respondents identified that the £10 charge for a 3 year blue badge would not stop them applying. 83.3% of female respondents identified that the £10 charge for a 3 year blue badge would not stop them applying.	Communication of any revision to charges will be effectively communicated.
Age	Changes will impact more on older people, as approx 66.7% of blue badges are currently issued to those aged 65 and over.	Older people are more likely to have a Blue Badge, as there is an increasing likelihood that older people will have some form of disability or long term condition and therefore more likely to require a badge than other age groups. However, the overall changes will impact positively on those who genuinely require a badge as they are given access to vital services and better quality of life through improved access to parking. Badge holders will benefit from customer service improvements and be able to park in spaces made available by improved enforcement measures. The views of representatives of service user groups were sought and identified that all age groups were in support of the changes i.e. 92.7% of the 18-64 age group, 92.4% of the 65-74 age group and	Communication of any revision to charges will be effectively communicated including consideration of different formats. Monitoring of Blue Badge take-up.

		100% of the over 75s supported the councils proposal to charge £10 for a blue badge. 68.3% of 18-64s identified that the £10 charge for a 3 year blue badge would not stop them applying. 92.3% of 65-74s identified that the £10 charge for a 3 year blue badge would not stop them applying. 100% of people 75 and over identified that the £10 charge for a 3 year blue badge would not stop them applying.	
Disability	Changes will impact on people with a disability as the blue badge scheme is intended to help and support this group	The Overall changes will impact positively on severely disabled people as they a given access to vital services and better quality of life through improved access to parking. The changes will provide local authorities with the tools to run the scheme efficiently, deliver the right scheme to the right people and target those who break the rules. The impact of increased cost is expected to be minimal. The views of representatives of service user groups were sought and identified that people with a disability were in support of the changes i.e. 91.2% supported the council's proposal to charge £10 for a blue badge. 75% of respondents with a disability identified that the £10 charge for a 3 year blue badge would not stop them applying. Of those responding that a £10 charge would stop them from applying, only 5 were existing blue badge holders.	Communication of any revision to charges will be effectively communicated including consideration of different formats. Monitoring of Blue Badge take-up
Race/Ethnicity	Based on recorded data from the Councils Blue Badge System, approx 99.3% of badge holders are white/british	There is no evidence available to suggest that race or ethnicity will be impacted. No issues were raised by service user representatives in relation to race or ethnicity.	Communication of any revision to charges will be effectively communicated including consideration of different languages

Religion or belief	Based on recorded data from the Councils Blue Badge System, approx 70% are church of England, 12% Roman Catholic and 9% Methodist. Many other religions are recorded but in small numbers.	There is no evidence available to suggest that there will be any differential impact in relation to religion and belief. No issues were raised by service user representatives in relation to religion or belief.	Communication of any revision to charges will be effectively communicated taking into account any specific religious or belief needs.
Sexual orientation	No Evidence to suggest that any sexual orientation will be impacted significantly	No issues were raised by service user representatives in relation to sexual orientation.	Communication of any revision to charges and blue badge application/issue process will be effectively communicated in advance of implementation

How will this promote positive relationships between different communities?

Changes to the Blue Badge scheme will ensure that public perceptions around blue badge abuse are addressed and appropriate assessment arrangements are implemented to ensure a fair and equitable process for blue badge applications through the use of eligibility criteria.

Section Three : Review and Conclusion

Summary: please provide a brief overview, including impact, changes, improvements and any gaps in evidence.

The changes to the Blue Badge Scheme are aimed at

- Improved and effective prevention of abuse and enforcement
- fair allocation of badges to those most in need
- efficiency savings and improved customer services

The intention of the Blue Badge reforms is that people with a disability who have a genuine need for a blue badge receive the maximum benefit of the scheme through a fair and consistent application and assessment process, improved customer service and improved access to car parking as a result of the improvements around enforcement in tackling misuse and fraud.

Those people who have a genuine entitlement to a Blue Badge will continue to do so in the future, however the reforms will aim to reduce the number of people who have acquired a badge but who no longer need it and those who misuse/abuse the badge.

Clear and effective communication which takes account of diverse need as described in section two will help us to ensure that people understand the changes and the reasons why.

Any increase in Blue Badge fee will be based on the additional charges made to the County Council for using the national Blue Badge Improvement Service, as well as improving the re-assessment/eligibility process to ensure that only eligible people are provided with a blue badge and strengthening enforcement to tackle fraud and abuse. The reforms are intended to ensure that eligible blue badge holders receive the maximum benefit from the scheme.

Action to be taken	Officer responsible	Target Date	In which plan will this action appear
Changes to be effectively communicated to the public with consideration of different formats and languages.	Keith Forster	December 2011	
The Blue Badge reform programme will be reviewed nationally by DfT to ensure improvements have been delivered by local authorities and that disabled people are benefiting from the changes	DfT	2015	
Decision to be taken on the level of fee to charge for a Blue Badge by Cabinet	Cabinet	December 2011	
Monitoring of Blue Badge take-up by age groups and disability.	Keith Forster	January - December 2012	
When will this assessment be reviewed?	Date: November 2011 (following views from service user groups)		
Are there any additional assessments that need to be undertaken in relation to this assessment?	No		
Lead officer - sign off: Peter Appleton			Date:
Service equality representative - sign off: Scott McInally			Date:

Please email your completed Impact Assessment to the Equality team - equalities@durham.gov.uk.