

**SURREY COUNTY COUNCIL**

**CABINET MEMBER FOR HIGHWAYS**

**DATE: 15 MARCH 2018**

**LEAD OFFICER: RACHEL CROSSLEY, STRATEGIC LEAD FOR CUSTOMER SERVICES**

**SUBJECT: SURREY COUNTY COUNCIL'S PROPOSED RESPONSE TO GOVERNMENT CONSULTATION ON EXTENDING THE ELIGIBILITY CRITERIA FOR THE BLUE BADGE SCHEME**



**SUMMARY OF ISSUE:**

The Department for Transport (DfT) is currently consulting on proposals to change the eligibility criteria for the Blue Badge scheme to include people with non-physical conditions. This is part of the government's objective to ensure that those people with the greatest need have access to badges. Surrey County Council has prepared a response to the consultation outlining the potential implications of these proposals to the current administration of the Blue Badge scheme in the county.

**RECOMMENDATIONS:**

It is recommended that:

The Cabinet Member for Highways approve Surrey County Council's proposed response to the government consultation on the Blue Badge Scheme for submission by the deadline of 18 March 2018.

**REASON FOR RECOMMENDATIONS:**

The government proposals to change the eligibility criteria is likely to significantly increase the number of individuals applying for a Blue Badge in Surrey and will impact how the current scheme operates. It is important that Surrey County Council responds to the consultation setting out its views on the potential impact and implications of this proposed change in the eligibility criteria for the local authority and its residents.

**DETAILS:**

**Background**

1. The aim of the Blue Badge scheme is to help disabled people who have severe mobility problems to access goods, services and other facilities by allowing them to park close to their destination. There are approximately 2.4 million Blue Badge holders in England.
2. The scheme provides a national range of on-street parking concessions for Blue Badge holders who are traveling either as a driver or passenger. It allows badge holders to park without charge or time limit in places such as on-street disabled bays and at on-street parking meters and pay and display

machines. Badge holders can also park on yellow lines for up to three hours, unless a ban on loading or unloading is in force.

3. The Blue Badge scheme is well used in Surrey with approximately 44,000 current Blue Badge holders and an average of 1300 applications for a Blue Badge each month. Approximately one third of Blue badge holders in Surrey are over 80 years of age. There is a charge of £10 made to issue a Blue Badge.
4. Eligibility for the current scheme focuses around those with a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking. While a range of conditions and disabilities are considered, it is the effect of someone's disability or medical condition on their ability to walk that is important. There are also automatic eligibility criteria linked to receipt of qualifying national benefits and specific criteria for children under three. Where required, local authorities can ask applicants to undergo a mobility assessment with a medical practitioner, such as an Occupational Therapist or Physiotherapist.
5. The consultation is seeking views on a proposition to change this eligibility criteria to also include persons unable to undertake any journey without there being a risk of very considerable harm to the health and safety of that person or another person; and persons unable to follow the route of any journey without another person, assistance animal or orientation aid. This could include conditions such as dementia, autism, adults and children with learning disabilities, as well as some mental health conditions.
6. While Surrey County Council is supportive of initiatives that make things easier for carers and for vulnerable people to live as independently as possible and parity in the treatment of physical and non-physical disabilities, changing the eligibility criteria will have significant implications for the local authorities administering the scheme.
7. The council's proposed response to the consultation highlights the following points:
  - 13.5% of Surrey's population are identified as being limited by a long term health problem or disability (this equates to approximately 148,500 people who may potentially become eligible for a Blue Badge, a significant increase)
  - A projected rise in the adult population in Surrey (240,000 aged over 65 by 2021) and in conditions such as dementia will mean that there would be a continual increase in the number of people potentially eligible for a Blue Badge
  - There will be cost and resource implications associated with the proposed change to the eligibility criteria due to an anticipated rise in the number of applications, the need for a greater number of complex assessments (given the varied nature of conditions potentially covered by the changed criteria) and the potential for increased number of enquiries and appeals; it needs to be a fully funded scheme
  - The change to the eligibility criteria needs to clearly reflect and support the original aim of the scheme – only those with severe or

permanent conditions with a need to park close to their destination to access goods, services and other facilities should be eligible – Surrey County Council does not want to see the importance of the Blue Badge scheme undermined

- Impact on dedicated parking provision - Surrey experiences significant parking pressures at present (only approx 3,000 disabled parking bays for 44,000 blue badge holders); these could be made worse with increased numbers of Blue Badge holders
- Car park charges for Blue Badge holders may need to be considered to generate required income
- The Council is concerned that increased numbers of Blue Badge holders will create significant road safety issues through their ability to park on yellow lines; this is not a sustainable practice and Blue Badge holder parking concessions will need to be reviewed prior to any change to eligibility taking place in order to address potential road safety issues, access to parking and the impact on traffic flow
- Consideration should be given to increasing the maximum local authorities in England can charge to issue a Blue Badge, for example in Scotland councils can charge £20
- Application and eligibility assessment processes need to be fit-for-purpose and decision-making needs to be able to stand up to scrutiny – clear guidance would be required, particularly around when an expert opinion is required to assess eligibility
- Expert opinion would need to be provided by an expert in the specific condition – this would require new ways of commissioning and carrying out assessments, which will increase costs
- Linking to Personal Independence Payments (PIP) for automatic eligibility would put England in line with Scotland and Wales – 12 points as a threshold is considered too high by representative groups and 10pts has been suggested as a more appropriate alternative

#### **CONSULTATION:**

8. The Council has made a number of key stakeholders aware of the consultation and has sought their views. This has included representative groups such as Surrey Coalition for Disabled People, Surrey Disabled People's partnership, Surrey Disability Hubs, Catalyst Mental Health Charity and Cornerhouse Mental Health Charity. In addition, services such as the Learning Disability Partnership Team, Adults Social Care and Strategic Policy have also been consulted. Members of the public with mental health or learning disability interests have also been in contact to give their views.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

9. Risks as yet are unclear as the proposed change to the eligibility criteria is at the consultation stage.

### **Financial and Value for Money Implications**

10. The cost of the proposed change to the eligibility criteria are as yet unclear. It is predicted that there will be cost implications for the local authority as a higher number of applications and wider ranging eligibility assessments are predicted. Within the consultation response the council is asking government to recognise the additional burden this would place on local authorities responsible for administering the scheme and is asking that a commensurate amount of funding is provided, or to consider raising the amount local authorities in England can charge for a Blue Badge.

### **Section 151 Officer Commentary**

11. The Section 151 Officer confirms that, as the proposals stand, there would be cost implications for the Council of broadening the eligibility criteria that have not yet been reflected in the council's Medium Term Financial Plan. Any changes would therefore need to be reflected in financial planning decisions at the appropriate time.

### **Legal Implications – Monitoring Officer**

12. The Council is responsible for administering the Blue Badge Scheme and the government's proposals to extend the scheme outlined in this report would have significant implications. The financial implications have been highlighted above, but there will also be equality implications as potential users of the scheme are likely to be among groups of people with protected characteristics as set out in the Equality Act 2010. Although the initial equalities impact of any legislative change will be assessed by the Department for Transport, any decisions made, or arrangement put in place by the council to implement the changes will need to be informed by a thorough Equality Impact Assessment.

### **Equalities and Diversity**

13. Any implementation of the proposed changes being consulted on would need to be subject to an Equality Impact Assessment (EIA).

### **WHAT HAPPENS NEXT:**

14. Deadline for submission of responses to the consultation is 18 March 2018. The Department for Transport will then consider the responses and publish a summary of responses, including the next steps, within three months of the consultation closing.

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#### **Contact Officer:**

Sarah E.M Bogunovic, Customer Relations & Service Improvement Manager Tel: 01372 833871

#### **Consulted:**

Cabinet Members  
Surrey Coalition for Disabled people  
Surrey Disabled People's Partnership  
Surrey Disability Register

SCC Communications Team  
SCC Policy Team  
Learning Disability Partnership Team  
Surrey Disability HUBS  
Senior MH Service Managers  
Catalyst Mental Health charity  
Cornerhouse Mental Health charity  
Adults Social Care teams

**Annexes:**

Consultation response.

**Sources/background papers:**

- Blue Badge scheme: consultation on eligibility  
(<https://www.gov.uk/government/consultations/blue-badge-disabled-parking-scheme-eligibility-review/blue-badge-scheme-consultation-on-eligibility#annex-a-consultation-principles>)
  - Surrey (Demographic data)
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