

**LONDON BOROUGH OF BRENT
HIGHWAYS COMMITTEE – 27th July 2004**

REPORT NO : /04 FROM THE DIRECTOR OF ENVIRONMENT

FOR INFORMATION / ACTION

NAME OF WARD: All

REPORT TITLE :	REVIEW OF PERSONALISED PARKING PLACES FOR ORANGE/BLUE BADGE HOLDERS – PROGRESS REPORT
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1.0 SUMMARY

- 1.1 The report advises members about the impact of the changes to the DPPP assessment criteria made in December 2003.
- 1.2 Members' approval is sought to commence consultations with key stakeholders on a permit scheme which will enable the implementation of 'personalised' parking places for Blue Badge holders who have satisfied the Council's assessment criteria for Disabled Persons' Parking Places (DPPP's).

2.0 RECOMMENDATION

- 2.1 That the committee notes the changes to the number of DPPP's approved following the recent changes to the assessment criteria.
- 2.2 That the Committee notes the funding and staffing implications of the changes to the assessment criteria made in December 2003 and the proposed introduction of 'personalised' permit parking places.
- 2.3 That the committee agrees that consultations with organisations representing disabled people and other key stakeholders be undertaken on the proposed 'personalised' permit parking places scheme options as described in paragraph 8.9.

3.0 FINANCIAL IMPLICATIONS

- 3.1 The changes to the DPPP assessment criteria made in December 2003 have increased the number of DPPP's being introduced significantly. This additional cost, estimated at £30,000 per annum, is being met by the Transportation Service Unit's revenue budget and is reducing the available budget for other revenue funded works and will continue to do so each year unless additional revenue funding is approved.
- 3.2 The introduction of a scheme using "personalised" permit holder bays for disabled people could require the conversion of all existing DPPP's to this system. The cost of reviewing existing bays, creating new traffic regulation orders, undertaking statutory consultation, introducing new traffic signs and issuing permits could be

significant. There will be in excess of 300 DPPP's in the borough and the one off material cost of converting all of these bays would be approximately £50,000. If this change was undertaken in one financial year the impact on existing budgets and staffing resources would be significant over the period of 6 months necessary to make these changes and would impact on other work programmes.

- 3.3 The current budget allowance for DPPP's will be insufficient in the future if the current trend for a higher number of approved applications continues and a "personalised" permit holder scheme goes ahead, and consideration to reviewing the budget will need to be made in future growth bids by the Transportation Service Unit.

4.0 STAFFING IMPLICATIONS

- 4.1 The Transportation Service Unit will carry out the works associated with the personalised parking places.

5.0 ENVIRONMENTAL IMPLICATIONS

- 5.1 The provision of DPPP's allows easier access for disabled people to their homes and to local amenities.

6.0 LEGAL IMPLICATIONS

- 6.1 Disabled Persons' Parking Bays will require the making of traffic regulation orders under the Road Traffic Regulation Act 1984. The procedures to be adopted for making the actual orders are set out in the associated Statutory Traffic Regulations. The Council is empowered by the legislation make the orders.

- 6.2 Under the Council's Constitution (Part 4) power is delegated to officers to undertake the statutory processes needed to implement the DPPP's. The implementation of DPPP's requires a statutory consultation process and any objections to the DPPP's received as a result of statutory consultations will be given full consideration by the Director of Transportation and reported back to members if he thinks appropriate.

7.0 DIVERSITY IMPLICATIONS

- 7.1 The needs of people with disabilities, particularly the mobility impaired, are assisted by providing specific parking facilities for blue badge holders which allow parking without charge or restriction on length of stay.
- 7.2 Any related public consultation material includes a section written in the most common languages used in the Borough with an explanation of how more information about proposals can be obtained.

8.0 DETAIL

Current Disabled Person's Parking Places scheme

- 8.1 The current procedure in Brent for considering requests received for Disabled Person's Parking Places (DPPP's) is that the applications are assessed against the

assessment criteria approved by the Executive in December 2003, as shown at Appendix A. If the criteria are met the application is approved by officers and progressed to statutory consultation as part of the traffic regulation order (TRO) making process. The scheme is based around the Blue badge national scheme for registering disabled persons that qualify for parking dispensations. The TRO, together with lines and signs approved in the Traffic Signs Regulations and General Directions (TSR&GD) 1994, introduces a parking restriction which limits parking in the DPPP to use by Blue Badge holders only. The Council's parking attendants are then able to issue penalty charge notices against unauthorised parking where vehicles do not display an Blue Badge. Appendix C details the type of traffic sign used currently with these DPPP's.

- 8.2 All current DPPP's have been made with reference to an older statutory instrument, the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 1986, which requires that all parking places have an exemption for Blue Badge holders such that they can park without charge and for any duration of time. This means that DPPP's cannot be provided exclusively to the applicant and any Blue Badge holder can use the DPPP's.
- 8.3 Where the criteria are only partially met the option of an 'advisory' sign is made available to the applicant. In this situation a 'Disabled Badge Holders Only' sign is provided free of charge to the applicant to affix to their highway boundary fence or wall. However, this is not enforceable and relies entirely on the compassionate appeal of the sign to attract voluntary respect and compliance by other drivers.
- 8.4 The assessment criteria were amended in December 2003 by the Executive in response to recommendations made in a report by the Scrutiny Roads Task Group. The assessment criteria for approving DPPP's were relaxed and this has led to a significant increase in the number of DPPP's introduced and the table below shows the impact of the changes. The material cost of introducing DPPP's is now estimated to have increased by approximately £30,000 per annum. This represents a 400% increase in annual costs compared with the annual costs using the previous criteria.

Period	DPPP's approved	DPPP's revoked	Total DPPP's in Brent
Jan - Mar 2003	12	2	287
Apr - Jun 2003	11	7	291
Jul - Sep 2003	9	3	297
Oct - Dec 2003	15	7	305
Jan - Mar 2004	28	2	331
Apr - Jun 2004	40	3	368

Proposed "Personalised" Disabled Person's Parking Places permit scheme

- 8.5 In the vast majority of cases a DPPP satisfies the requirements of the applicant and the parking bay is almost exclusively used by the applicant. However, there is an increasing demand for DPPP's to be allocated specifically to properties or personally to an Blue Badge holder. This is particularly the case near rail/tube stations or areas of high retail activity, where there is competition for that space with other Blue badge holders visiting the area or living in the area. The inconvenience

may be compounded by the fact that all DPPP's in Brent now apply 'at any time', so effectively the space could be occupied all day, or even for a number of days, without the resident having access to the DPPP.

- 8.6 The 1986 statutory instrument mentioned in 8.2 was replaced in April 2000 by the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000. This statutory instrument now only requires that the general exemption for all Blue Badge holders only be provided in parking bays where charges apply. The implication of this is that DPPP's no longer require a general exemption for all the Blue Badge holders because no charges apply in these bays, and means that individual badge holders can be allocated exclusive parking rights.
- 8.7 The method of operation used by other local authorities such as City of London, Westminster, Kensington & Chelsea and Camden is that an Blue Badge holder is issued with a special permit which is distinct from any other permit issued by that authority. The permit has a unique reference number, and this number is shown on the sign adjacent to the parking place which then identifies the personalised bay. The sign is a 'Permit Holder Only' sign, as shown at Appendix B. This scheme is therefore independent of the Blue Badge scheme and is operated by the boroughs under strict criteria. The Traffic signs & General Directions Regulations 1994 have been amended to allow a permit number to be added to a permit sign without the need for special authorisation. It is not necessary for the Blue Badges to be displayed when parking in this type of bay.
- 8.8 To develop a scheme in Brent for "personalised" DPPP's it is recommended that the same type of system used by the other local authorities mentioned in this report be followed. The basic principles set out below would be used to develop the scheme:
- The scheme will operate boroughwide
 - Blue Badge holders only will be eligible
 - The permit will only be issued to an applicant for a DPPP who has satisfied the criteria at Appendix A.
 - The permit will be vehicle specific, i.e. the applicants (or dependents) vehicle registration number will appear on the permit.
 - The permit will be allocated a unique reference number which will be shown on a sign (as at Appendix B) adjacent to the parking place.

The way forward

- 8.9 One important area of debate is the extent to which "personalised" bays should be introduced particularly taking into consideration the rapidly increasing number of DPPP's in the borough. Discussions with local authorities that operate such systems have expressed caution over the rules governing such facilities because of the attractiveness amongst the public of having personalised parking space on the highway and the potential for abuse of the existing blue badge system. The criteria for issuing blue badges in recent years have become more relaxed since it was originally introduced and this has resulted in a larger number of badges in circulation. This problem is compounded by the ease with which badges can be obtained because of the widely varying standards for assessing disability when issuing badges. Whilst this is a national problem that the Council has no jurisdiction over it needs to be recognised that the criteria for authorizing "personalised" bays

needs to take this fact into account in order to avoid any potential problems. There are a number of different approaches which could be considered:

- a) To allow all successful applicants to have “personalised” DPPP’s including all existing DPPP’s. This would treat all applicants equally but potentially generate a higher level of interest by the public to acquire a blue badge in order to have a personalised space and possibly lead to an increase in fraudulent applications for badges. It would also be expensive to change all existing bays to this mode of operation.
- b) To use “personalised” DPPP’s only in designated areas where there is a high demand for parking generally, including blue badge holders, such as rail/tube stations, shops, areas of high retail activity and local amenities. Separate criteria for “personalised” DPPP’s would be required in this instance.
- c) To use “personalised” DPPP’s only in areas where applicants have extreme difficulty in accessing a DPPP because there is a high demand for parking by blue badge holders. This would resolve situations where applicants have real problems needing to be addressed and allow all remaining bays to be conventional DPPP’s used more generally by blue badge holders. Separate criteria for “personalised” DPPP’s would be required in this instance.

8.10 In all the options above there will be a need to separate personal applications for DPPP bays (conventional or personalised) focused on accessing a persons home from general DPPP’s (conventional) focused on allowing disabled people access to local amenities. It is recommended that separate work programmes be created for personal and general bays.

8.11 Insufficient research has been done to date to recommend a particular option in paragraph 8.9 and it is therefore recommended that extensive consultation takes place with all the key stakeholders and organisations representing disabled people over these options in order to decide how to take this issue forward. It is extremely important to take the right approach in order to ensure this work programme has the maximum benefit for those disabled people that experience the most severe problems.

9.0 BACKGROUND INFORMATION

Details of Documents:

9.1 Any person wishing to inspect the above papers should contact David Eaglesham, Transportation Service Unit, Brent House, 349 High Road, Wembley, Middlesex HA9 6BZ, Telephone: 020 8937 5140

9.2 Scrutiny Committee - Roads/Use of Road Space Task Group Report.

Richard Saunders

Director of Environmental Services

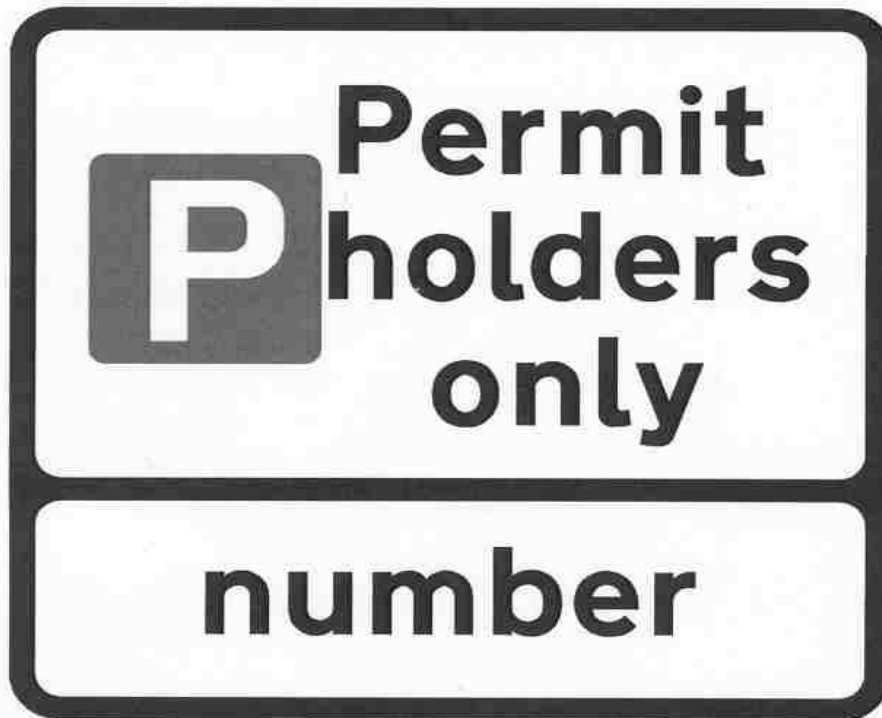
REVIEW OF PERSONALISED PARKING PLACES FOR BLUE BADGE HOLDERS APPENDIX A

ASSESSMENT CRITERIA FOR DISABLED PERSONS' PARKING PLACE APPLICATIONS (from December 2003)

1. The applicant must be a registered 'Blue Badge' holder.
2. Where off-street parking facilities are available a bay may be provided if the applicant can demonstrate that the facilities are unsuitable for the use of a disabled person due to the nature of their disability or unsuitable for their vehicle.
3. The applicant must use and drive a vehicle kept at the premises, except where the applicant:
 - (i) requires substantial physical assistance from the driver of the vehicle when entering and leaving the vehicle and the driver is generally the only person available to assist the passenger.
 - (ii) Is sufficiently mentally or physically incapacitated to necessitate constant supervision by the driver of the vehicle and the driver of the vehicle is the only person available to effect this supervision. The driver should also live at the applicant's address.
4. All disabled persons' parking places will be operational 'At Any Time'
5. Disabled persons' parking places will only be approved at locations where road safety will not be adversely affected by their provision.
6. Where disabled persons' parking bays are considered to be no longer necessary due to a change in circumstances or are reported to be unused, they will be removed.
7. Disabled persons' parking bays are not to be provided for:
 - Dial-a-ride, taxis, hospital drivers or others for the purposes of picking up of or setting down passengers
 - Non-disabled visitors or carers

**REVIEW OF PERSONALISED PARKING PLACES FOR BLUE BADGE HOLDERS
APPENDIX B**

'PERMIT HOLDER ONLY' SIGN WITH PERMIT IDENTIFYING NUMBER



**REVIEW OF PERSONALISED PARKING PLACES FOR BLUE BADGE HOLDERS
APPENDIX C**

'DISABLED BADGE HOLDERS ONLY' SIGN

