

LONDON BOROUGH OF BRENT

HIGHWAYS COMMITTEE Tuesday, 7th December 2004

REPORT FROM THE DIRECTOR OF ENVIRONMENT

FOR ACTION

ALL WARDS

REPORT TITLE: REVIEW OF PERSONALISED DISABLED PARKING PLACES FOR BLUE BADGE HOLDERS

1.0 SUMMARY

This report informs Members of the results of public consultation with holders of Disabled Persons Parking Places in the Borough. It identifies problems that badge holders have encountered in accessing their bay. Members are advised of the growing demands placed on the Disabled Persons Parking facilities in the Borough, and recommend the introduction of a personalised disabled parking places scheme.

2.0 RECOMMENDATION

- 2.1 That the Committee notes the result of the Consultation as summarised in Appendix A.
- 2.2 That the Committee approves Option 2 provided by officers as stated in Paragraph 8.9 of this report.
- 2.3 That the Committee agrees the Criteria Set out by officers as stated in Appendix C of this report.
- 2.4 That the Committee notes the funding and staffing implications of the assessment Criteria made in this report for the proposed introduction of 'Personalised' Permit Parking Places.

3.0 FINANCIAL IMPLICATIONS

- 3.1 As stated at the 27th July Highway Committee since the changes to the DPPP assessment criteria made in December 2003 the number of DPPP's introduced have significantly increased. (Appendix D for existing criteria). The Transportation Unit has a base budget of £40k p.a for the existing scheme. An additional cost estimated at £30,000 per annum; is being met by The Transportation Service Unit's revenue budget which 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 existing DPPP's to this new 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. These conversions could be in excess of 300 DPPP's in the Borough and the one off material cost of converting all of these bays would be around £50,000. These changes would be a significant impact on the existing budgets and staffing resources and would also have 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. A growth bid for an additional £30K p.a has been submitted as part of the 2005/6 budget process. A final decision will be taken on this bid at Full council on 28th February 2005. If the bid is not agreed the increasing number of applications will require funds to be diverted from other work programmes.
- 3.4 The potential impact on the parking account will be incurred with costs of enforcing the new bays, loss of income as a result of personalising bays etc. The increasing number of applications is already having an impact on the parking account and if there is likely to be an overall reduction in the parking account surplus this will reduce the funding available to Transportation Unit for investment in other schemes.

4.0 STAFFING IMPLICATIONS

- 4.1 The Transportation Service unit will be undertaking all works associated with the Personalised Parking Places.

5.0 ENVIRONMENTAL IMPLICATION

- 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 Person's 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 to 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. Any objections to the DPPP's received as a result of statutory consultations will be considered by the Director of Transportation and overruled, sustained or 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 in length of stay.
- 7.2 All related public consultation material includes a section written in the common languages used in the Borough with an explanation of how more information about proposals can be obtained.

8.0 BACKGROUND

- 8.1 Currently there are 7798 disabled people holding valid Blue Badges in the Brent Community. There are a total of 371 enforceable Disabled Persons Parking bays (DPPPs) in the Borough. (Refer Appendix B). The increasing number of Blue Badges being issued creates additional pressure for on street parking. Indeed, there are varying standards for Blue Badge assessment and these have been taken into consideration when designing a second badge system for a personalised disabled bay scheme within the borough.
- 8.2 Establishing criteria for a second permit requires consideration from both an engineering perspective and a medical perspective. In the proposed criteria, (Appendix C) the diagnostic criteria (regarding the physical disability) have been drawn from other boroughs that currently allocate Personalised Disabled Bays, and from the national Blue Badge Scheme.
- 8.3 As noted during the Highways Committee on 27th July the attractiveness amongst the general public of having personalised parking space on the highway may lead to abuse of the Blue Badge System. The Blue Badge parking dispensation effectively provides free parking to the holder; Social Services have noted a prominent increase in attempts to illegally obtain Blue Badges.

For a second badge scheme to be initiated the scheme must be protected from abuse and thus strict assessment criteria (Appendix C) must be established and evaluation of these criteria maintained at a very high standard.

- 8.4 It is important that Members are aware that if DPPPs near public amenities, such as stations, shops etc. are personalised this will reduce the number of DPPP spaces available to other Blue Badge Holders who wish to use these public amenities. Any permanent changes to allocation of parking space near amenities may have a detrimental effect on the Blue Badge scheme, unless other additional facilities are provided.
- 8.5 It has been shown that if the disabled bay is located in the close vicinity of public amenities and other areas are densely parked, then there is

strong competition for the use of the bay. Provision of disabled parking facilities near public amenities and shopping areas is a highly valued asset by Blue Badge holders. Comments (see Table 5 and 6, Appendix A) made during consultation clearly identify the difficulties arising for this cluster.

- 8.6 The difficulties parking near public amenities may be reduced by additional education of our Blue Badge holders on their parking entitlements within the borough. At present they receive a copy of the National Blue Badge parking guidelines. The production of a clear guideline booklet specifically for Brent Blue Badge holders may encourage utilisation of all available parking facilities. A guideline booklet should also include a guide to Blue Badge parking in surrounding Boroughs, and any variations in their schemes. Guidelines should direct them to the correct departments when bays and badges are believed to be being abused.

Brent community Blue Badge Holders at present are entitled to park without payment in Pay and Display bays, as well as Residential and Shared use bays, without time limits (unless set by time plates). Comments made during consultation show disabled spaces will be parked regardless of other spaces being vacant.

- 8.7 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.

The statutory instrument mentioned in the above paragraph was replaced in April 2000 by the 'Local Authorities Traffic Orders - (Exemptions for Disabled Persons) (England) Regulations 2000. This statutory instrument now 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.

- 8.8 The personalised bays would be progressed in batches for the Traffic Order process, following current disabled bay practices of statutory consultation.
- 8.9 Application forms will be formatted with clear guidelines as to the distinction between a standard disabled bay and a personalised bay. It may be appropriate that two separate application forms are designed so that personalisation of a bay only occurs upon specific request by the applicant. Applications will be assessed within the Transportation Unit, as verified medical documents will be provided. This will be co-ordinated with the onsite assessment by a traffic engineer to satisfy traffic safety issues.

8.10 It is for Committee to decide whether personalising disabled bays would be for the greater good of the disabled persons in the Brent Community without being detrimental to other residents with the reduction of turnover space on the highways. There are three options available to the Council in regards to the action taken regarding the personalisation of DPPPs. These are:

Option 1 Provide personalised disabled bays to all those that are currently eligible for a DPPP (this will include all existing disabled bays).

Option 2 Provide personalised disabled bays only to those approved by a second permit scheme, run concurrently with the Blue Badge Scheme. If this is the outcome it is necessary that the application process is clearly designed to distinguish those disabled persons within the community and those locations within the borough that experience the greatest parking difficulties. Proposed criteria for this assessment are set out in Appendix C.

Option 3 Do not proceed with introduction of personalised DPPPs. Continue with existing DPPP policy with the previously approved relaxed criteria, which presently allows 80% of applications to proceed to implementation of a Disabled Bay.

8.11 Guidelines (as follows) have been established in this report as to how to set up a new parking permit scheme, to facilitate the introduction of personalised DPPPs, should **Option 2** be approved.

8.12 The details of the signage are appended in appendix F.

8.13 Those who have applied and had a DPPP implemented outside their address were consulted regarding their access and utilisation of the bay. 150 of the 331 people consulted returned their questionnaires. Of these 95.3% are actively using the bay. 69.23% experience difficulties in using the bay. Tables 4 and 5 in Appendix A, depict the various sources of parking obstructions. Majority (42.66%) experience a combination of other Blue Badge Holders (BBH) and non-BBHs using the bay thus restricting the availability to them, the original applicant. 20% of those consulted only compete with other BBH's for the bay, whilst 11% compete only with non- BBH for the bay.

8.14 Good communication between Social Services who administer the Blue Badge scheme and the Transportation Service Unit is essential as each unit will be in contact with the same group of residents, and advice must be consistent and accurate.

8.15 Officers have liaised with Social services, Brent Association of Disabled People, Metropolitan police and their views will be considered in the administration and establishment of any new permit system.

APPENDIX A

CONSULTATION DOCUMENT AND RESULTS



REVIEW OF PARKING FOR "BLUE BADGE" HOLDERS

Please check the address overleaf is yours and complete and return the questionnaire to Brent Council by Thursday 23rd September 2004 using the pre paid postage provided on the reverse side of this form.

1. Is the "Blue Badge" holder bay outside your property still in use by you or a member of your household?

YES NO

2. Do you have any difficulty in using this bay?

YES NO

3. If you have answered "Yes" to Q2, is this because:

The bay is often used by other Blue Badge holders?

Cars parked without a Blue Badge?

Other reason – please state:

.....

4. If there are any areas in the Borough where you have difficulty in finding parking when you are out shopping or visiting, please tell us where these are:

.....

5. If you have any other comments about parking for Blue Badge holders, either near where you live or generally in the borough please tell us here:

.....

If you have difficulty understanding this in English, please contact the One-Stop Shop at the Town Hall, Forty Lane, Wembley Monday to Friday 9am to 5pm. Telephone 020 8937 1200

اگر آپ کو ایسے انگریزی میں سمجھنے میں دشواری ہو تو براہ کرم
 مہرمانی ٹاؤن ہال واقع فورٹی لین، ویمپلے میں ون اسٹاپ شاپ
 سے پیر تا جمعہ صبح 9 بجے سے شام 5 بجے تک ٹیلیفون نمبر
 020 8937 1200 پر رابطہ کریں۔

જો તમને અંગ્રેજી ભાષામાં આ સમજવાની મુશ્કેલી પડતી હોય તો, મહેરમાની ક્વોર્ટીને વન- સ્ટોપ શોપનો સંપર્ક સાધશો. તે વેબસાઇટ ખાતે, ફોર્ટી લેઇનમાં, ટાઉન હોલમાં છે. સમય: સવારના ૯ થી સાંજના ૫ સુધી, સોમવારથી શુક્રવાર. ટેલિફોન: ૦૨૦૬-૮૩૭-૧૨૦૦

English

Urdu

Gujarati

यदि आपको इसे अंग्रेजी में समझने में मुश्किल आती है तो आप कृपया इनके साथ सोमवार से शुक्रवार तक सुबह 9 बजे से शाम 5 बजे तक संपर्क करें - वन-सटॉप शॉप, टाऊन हाल, फोर्टी लेन, वेंबली टेलीफोन 020 8937 1200

Haddii aad dhib kala kulanto in aad tani ku fahanto luqada ingiriisida, fadlan la xidhiidh xafiiska One-Stop Shop ee ku yaala Town Hall, Forty Lane, Wembley Isniinta ilaa Jimcaha 9ka subaxnimo ilaa Sta galabnimo. Telefoon 020 8937 1200

ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਅੰਗਰੇਜ਼ੀ ਵਿਚ ਸਮਝਣ ਵਿਚ ਮੁਸ਼ਕਿਲ ਆਉਂਦੀ ਹੈ ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਇਹਨਾਂ ਨਾਲ ਸੋਮਵਾਰ ਤੋਂ ਸ਼ੁੱਕਰਵਾਰ ਤਕ ਸਵੇਰੇ 9 ਵਜੇ ਤੋਂ ਸ਼ਾਮ 5 ਵਜੇ ਤਕ ਸੰਪਰਕ ਕਰੋ: ਵੱਨ-ਸਟੌਪ ਸ਼ੋਪ, ਟਾਊਨ ਹਾਲ, ਫੋਰਟੀ ਲੇਨ, ਵੇਂਬਲੀ ਟੈਲੀਫੋਨ 020 8937 1200

Hindi

Somali

Punjabi

APPENDIX A Continued

RESULTS OF CONSULTATION - REVIEW OF PARKING FOR BLUE BADGE HOLDERS

Table 1	Questionnaires Sent Out	331	
	Questionnaires Returned	150	45.32%

Table 2	Q1 - Is the Blue Badge holder bay outside your property still in use by you or a member of your household?	YES	NO	BLANK	TOTAL
		143	6	1	150
		95.33%	4.00%		

Table 3	Q2 - Do you have difficulty in using this bay?	YES	NO	BLANK	TOTAL
		99	42	9	150
		69.23%	29.37%		

Table 4	Q3 - If 'yes' to Q2 - the difficulty parking is because:		%
	The DPPP bay is used by other Blue Badge Holders?	31	20.66%
	Vehicles parked in DPPP bay without a Blue Badge?	17	11.33%
	Both vehicles with and without Blue Badges in DPPP bay?	64	42.66%
	Answers left blank	38	25.33%

Table 5	Q3 continued – Other difficulties encountered:	
	Bay close to public facilities, (cinema, mosques, schools)	8
	Other vehicles encroach white lines, closing DPPP vehicle in bay.	9
	Others using bay frequently after CPZ restriction hours	6
	Commercial vehicles using the bay freely.	2
	Illegal use of the Blue Badge, ie. Sharing, BB holders without disability	4
	Commuters	1
	Lack of enforcement for offenders	1
	Have been ticketed when parked elsewhere, when DPPP occupied	2
	DPPP use has resulted in abuse and threats between neighbours	2
	Frequently housebound when their bay is in use by others	2
	Drivers from other boroughs using DPPP, reciprocal not available	3
	BBH target DPPP even if Residents Bays available	2

APPENDIX A Continued

Table 6

Q4 - If there are any areas in the Borough where you have difficulty in finding parking when you are out shopping or visiting, please tell us where these are:		AMENITIES WITH BBH PARKING DIFFICULTIES	
NO PROBLEMS - Satisfied with DPPP in the area	15	Doctors Medical Centres: includes: Staverton Med, Sudbury Court Med, Lonsdale Rd, Brondesbury Rd, Abbey Rd	11
ANSWER LEFT BLANK	50	Post Offices: includes Willesden Post, Harrow Rd Post, Greenford Rd, Ealing Rd	11
Harlesden Area - General	8	Banks: General	1
Harlesden High Street	6	Hospitals: includes Wembley, UCH, Central Middlesex	6
Harlesden Shopping Centre	1	Chemists: includes Burnley & Hamilton Rd	2
Wembley Area - General	5	Libraries: General	1
Wembley High Rd	6	Shopping Centres: includes: Neasden, Greenford Rd, Gladstone Centre, Tesco & Asda supermarkets, Tradesman Shops	6
Wembley, Ealing Rd	9	Activities: Vale Farm Leisure Centre	1
Wembley, St Johns Rd	1	Church: General	1
Willesden High Road	2	Theatres: includes Tricycle theatre.	1
Willesden Green Tube Station	1	OTHER ROADS IDENTIFIED AS PROBLEM PARKS	
Kilburn Area - General	4	Craven Park Rd	1
Kilburn High Road	17	Preston Rd, Harrow	1
Sudbury Area - General	1	Brondesbury Park Rd	1
Sudbury High Road	1	Howard Rd	1
Cricklewood Area - General	3	Victoria Rd	1
Cricklewood Broadway	2	Wendover Rd	2
Westminster Area	4	Buckingham Rd	1
Chelsea Area	1	Brent Cross	1
Kensal Rise Area	3	Leghorn Rd	1
Kingston Area	1		
Salisbury Area	1		

Table 6 - continued

APPENDIX A Continued

Table 7

Q5 - If you have any other comments about parking for Blue Badge Holders either near where you live or generally in the Borough please tell us here:	
SUMMARY OF COMMENTS	
The Blue Badge System and DPPP bay has been very helpful.	7
Badge holder specific Disable Bays would be very helpful.	19
Disabled bays are not respected by able bodied people, (including commercial vehicle drivers).	9
More enforcement patrol and action against offenders.	4
Blue Badge's are frequently misused and abused.	6
Shortage of DPPP bays in the borough.	15
Applicant has difficulty when other BBH use the bay.	10
More information regarding where a BBH can park	3
Excessive ticketing of BBH when parking elsewhere in the borough.	5
Other boroughs: More info regarding their restrictions, and the lack of access to their Disabled bays.	5
Consideration should be given to mobility impaired BBH as opposed to other eligible disabilities.	2
Personalised bays in other boroughs have restricted parking for Brent BBH in other areas.	1
Time limits on high use DPPP bays might be useful.	1
Marking out of the DPPP bay could be clearer.	1
BB can not be used to keep vehicle in bay outside residence and used simultaneously when transported in another vehicle.	1
DPPP applicant currently sharing the one bay with 7 other regular BBH.	1
BB needs all personal details and photo on the visible side.	1

APPENDIX B

Table 1

OTHER	
Number of Disabled Bays in Brent Borough (at Oct 2004)	371
Number of people holding valid Blue Badges (at Oct 2004)	7798
Number of BB applicants April - June 2004 who qualified to receive Higher level of mobility allowance	425

APPENDIX C

ASSESSMENT CRITERIA FOR PERSONALISED DPPP's

If the following criteria are met then the applicant will be issued with a second badge/permit and a badge specific bay will be implemented on site following a traffic order being made. Criteria based on London Borough of Camden personalised bay model.

- 1 Applicant must hold a valid Blue Badge. (Brent issued).
- 2 Applicant must be receiving the DLA Higher Rate of Mobility Component (help with getting around) for an indefinite period. A copy of the Disability Benefit must be provided. The higher rate of Attendance Allowance will also be accepted for applicants aged 65 or over. (See Appendix D for description of benefit; see Appendix B for number of people in receipt of benefit.)

If applicant does not receive DLA Higher Rate, yet is registered blind, can provide documents and meets all other criteria they will also be considered.
- 3 Applicant must be driving his/her own car or nominate a carer who drives for them who also resides at the same address.
- 4 Applicant must provide vehicle registration documents for up to and no more than two nominated vehicles in which the permit can be used.
- 5 If the applicant does not drive and has appointed a nominated carer to drive for them, the carer must receive the Carers Allowance award. A copy of the Carers Allowance must be provided. As in 3 the carer must reside at the same address. See Appendix D for description of carers benefit.
- 6 Applicants must have no access to off street parking facilities. Where off street parking exists, applicants will be required to provide proof that this facility is not available for their use. This may take the form of, for example, a Tenancy Agreement or Property Deeds.
- 7 Applicants must provide a copy of their valid Drivers Licence. If the applicant has nominated a carer then a copy of the carers valid Drivers Licence must be provided.
- 8 If all of the above criteria have been met the applicant must then have a mobility assessment (assessment as in established Blue Badge System used by Social Services, which will be modified to identify those with greatest mobility restriction). Applicants using additional mobility aids, sticks, wheelchair etc will provide written evidence of this use (should be on record with social services).
- 9 The following on site conditions will be taken into considerations.
 - Interests of traffic movement in the area.
 - Interests of owners and occupiers of adjoining properties.
 - The need to maintaining access to premises.
 - Road safety considerations.
- 10 Both badges must be displayed in the vehicle whilst the bay is in use.
- 11 Bays will be operational at all times.

APPENDIX D -

CURRENT ASSESSMENT CRITERIA FOR STANDARD DPPP's

1. The applicant must be a registered 'Orange/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.
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.

APPENDIX E

BENEFIT SUMMARY

Disability Living Allowance – Higher level with Mobility Component

- Aged Under 65
- Disability for at least 3 months and expected for next 6 months
- Normally live in UK, have lived in UK for at least 26 out of last 52 weeks
- +
- You are unable to walk or 'virtually unable to walk' because of physical disability; or
- You have no legs or feet or have had both legs amputated at, or above the ankles; or
- You are both blind and deaf and need someone with you when walking outdoors; or
- You are entitled to the highest care component of the DLA and have severe mental impairment leading to severe behavioural problems.

Higher Rate of Attendance Allowance

- Aged over 65 or older and
- You satisfy the day and/or night disability conditions described below;
- You must normally have been ill or disabled and satisfied the day and/or night conditions for at least six months – but there are special rules for people who are terminally ill as explained; and
- You normally live in the UK (unless you are applying under special rules for terminally ill people) for at least 26 of the last 52 weeks.

FOR THE HIGHER RATE YOU MUST SATISFY BOTH DAY AND NIGHT CRITERIA

DAY= 'is so disabled physically or mentally that by day, he [or she] requires from another person, either:

- a) frequent attention throughout the day in connection with bodily functions, or
- b) continual supervision throughout the day in order to avoid substantial danger to him/her self or others.'

NIGHT= 'so severely disabled physically or mentally that, at night:

- a) he/she requires from another person prolonged or repeated attention in connection with bodily functions.
- b) In order to avoid substantial danger to him/her self [or others] he/she requires another person to be awake for a prolonged period or at frequent intervals for the purpose of watching over him/her.

Carers Allowance Award

Available to people aged over 16 or over who live in the UK and provide a minimum of 35 hours care to a severely disabled person. The disabled person must be getting or waiting to hear about one of the following benefits:

- Attendance Allowance
- Disability Living Allowance at the middle or highest rate for personal care.
- Industrial Injuries Disablement Benefit Constant Attendance Allowance
- War Pensions Constant Attendance Allowance.

You cannot get CA if you are in full-time work or education, through some part-time work and study are allowed.

APPENDIX F

EXAMPLE OF 'PERMIT HOLDER ONLY' SIGN WITH
PERMIT IDENTIFYING NUMBER

