

# **Changes to Changes to the Blue Badge Parking Scheme Effective 30<sup>th</sup> August 2019**

## **Legislation**

- The Blue Badge (Disabled Persons' Parking) scheme was introduced in 1971 under Section 21 of the Chronically Sick and Disabled Persons Act 1970.
- Following an independent review of the scheme commissioned by the Department for transport (DfT), a number of legislative changes to the regulations have been made; as ratified in the 'Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2019,' which comes into force on 30th August 2019.

## **Regulatory Changes**

The new regulations extend eligibility criteria to people who:

- cannot undertake a journey without there being a risk of serious harm to their health or safety or that of any other person (such as young children with autism)
- cannot undertake a journey without it causing them very considerable psychological distress
- have very considerable difficulty when walking (both the physical act and experience of walking)

## **Council Responsibility**

- Local authorities are responsible for the day-to-day administration and enforcement of the scheme and for ensuring badges are only issued to residents who satisfy one or more of the eligibility criteria set out in the legislation that governs the scheme.
- Customer Services administer the scheme on behalf of the Council and Parking Services are responsible for enforcing the scheme.
- The introduction of the expanded eligibility criteria requires the Council to update it's administrative procedures so that by 30th August 2019, all associated information and processes reflect the new regulatory requirements.
- Planned activities include:
  - Updating the Council's website content

- Replacing the current application form with a new one that includes questions related to the expanded eligibility criteria
- Revising the evidence based assessment process
- Creating a questionnaire for professional input based on the model proforma provided by the DfT.

### **Applying for a Blue Badge before 30<sup>th</sup> August 2019**

- Any applications made before 30th August 2019 will be assessed against the requirements of the current regulations which do not include eligibility criteria for people with non-physical ('hidden') disabilities.
- The Council cannot accept or hold any applications made against the new criteria in advance of this date.

### **Applying for a Blue Badge from 30<sup>th</sup> August 2019**

- An individual's eligibility for a Blue Badge is considered in terms of being 'eligible without further assessment' (previously known as 'automatic') or 'eligible subject to further assessment' (previously known as 'discretionary').
- The route the Blue Badge application process takes will vary dependent on the applicant's situation.
- Applications considered to be 'eligible subject to further assessment' are more likely to have to provide evidence from a health professional.

### **Application Process**

It is the applicant's responsibility to provide the evidence required which may take time if they need to ask for information from other organisations.

The Council however can only make an award decision after the applicant has provided all the appropriate evidence and will aim to complete this part of the process as soon as possible after all information has been received.

Process stages:

- **Initial screening**  
The first few questions presented online are designed to help applicants quickly determine whether or not they have met the eligibility criteria outlined in **Appendix 1**.
- **Completion of Application Form**  
Applicants that meet the eligibility criteria are asked to complete a more detailed application form.

The application form is only available online but applicants can request digital assistance if they need help to complete it.

During busy periods this may mean applicants have to make an appointment.

- **Desk Based Assessment**

Customer Services assess all application forms received to verify the evidence received.

In some cases further evidence will be needed which means applicants will need to ask their named professional to complete a 'Professional Input' questionnaire.

It will be the applicant's responsibility to request this evidence.

A professional is defined as someone involved in the on-going treatment and support of the applicant's disability and someone who is more likely to be familiar with the applicant's lived-experience of the condition. This cannot be the applicant's GP.

- **Award Decision**

An award will only be granted where evidence corroborates the applicant's eligibility against the regulatory criteria.

Applicants will be advised of the award decision in writing; including the reason for refusal where needed and details of their right to request a review of the decision.

Applicants will be advised however that unless they can provide further evidence in support of their application, or their mobility has significantly changed since they applied for the Blue Badge, their appeal against the decision is unlikely to be successful.

- **Payment**

Payment will be requested once an application has been successful. The charge is £10 per badge; the maximum fee set by the DfT.

- **Order Placed**

Details of successful applications are provided to the government agencies responsible for the printing and posting of a Blue badge.

The Council has no control over the time it takes for a badge to be printed and posted.

## **Further Help and Advice**

[The Blue Badge Scheme Local Authority Guidance \(England\)](#)' issued by the DfT has been updated to reflect the new regulations.

For help or advice on the way the Council administers the scheme please email:

[CSC-BlueCarBadge@rotherham.gov.uk](mailto:CSC-BlueCarBadge@rotherham.gov.uk) or contact Phil Rushton 01709 822381.

## Appendix 1

Applicant criteria	Outcome	Evidence
<p>Applicant is in receipt of :</p> <ul style="list-style-type: none"> <li>• Higher Rate of the Mobility Component of the Disability Living Allowance (HRMCDLA); or</li> <li>• Receives 8 points or more under the “moving around” activity of the mobility component of Personal Independence Payment (PIP); or</li> <li>• Receives the mobility component of PIP and has obtained 10 points specifically for Descriptor E under the “planning and following journeys” activity, on the grounds that they are unable to undertake any journey because it would cause them overwhelming psychological distress; or</li> <li>• Is registered blind (severely sight impaired); or</li> <li>• Receives a War Pensioner’s Mobility Supplement (WPMS); or</li> <li>• Has been both awarded a lump sum benefit at tariffs 1-8 of the Armed Forces Compensation Scheme and certified as having an enduring and substantial disability which causes inability to walk or very considerable difficulty in walking.</li> </ul>	<p>Applicant is considered to be ‘eligible without further assessment.’</p>	<p>Proof of address</p> <p>PLUS</p> <p>Evidence required is determined by the type of benefit the applicant has indicated they are in receipt of</p>
<p>Applicant is more than two years old and may be described as one or more of the following:</p> <ul style="list-style-type: none"> <li>○ A person who drives a vehicle regularly, has a severe disability in both arms and is unable to operate, or has considerable difficulty in operating, all or some types of parking meter; or</li> <li>○ A person who has been certified by an expert assessor as having an enduring and substantial disability which causes them, during the course of a journey, to: <ul style="list-style-type: none"> <li>▪ Be unable to walk;</li> <li>▪ Experience very considerable difficulty whilst walking, which may include very considerable psychological distress; or</li> <li>▪ Be at risk of serious harm when walking; or pose, when walking, a risk of serious harm to any other person</li> </ul> </li> </ul>	<p>Applicant may be eligible ‘subject to further assessment.’</p>	<p>Proof of address</p> <p>PLUS</p> <p>Professional input via questionnaire.</p> <p>Secondary evidence if the professional input is from a GP.</p>

<p>Applicant is a child under the age of three who falls within either or both of the following descriptions:</p> <ul style="list-style-type: none"> <li>○ A child who, on account of a condition, must always be accompanied by bulky medical equipment which cannot be carried around with the child without great difficulty;</li> <li>○ A child who, on account of a condition, must always be kept near a motor vehicle so that, if necessary, treatment for that condition can be given in the vehicle or the child can be taken quickly in the vehicle to a place where such treatment can be given.</li> </ul>	<p>Applicant may be eligible 'subject to further assessment.'</p>	<p>Proof of address PLUS Professional input eg. Paediatrician</p>
<p>Applicant does not specify they meet any of the above criteria</p>	<p>Applicant is not eligible for a blue badge</p>	<p>n/a</p>