

Report for: Cabinet 9 March 2021

Title: **Disabled Parking Action Plan**

Report authorised by: Stephen McDonnell, Director of Environment and Neighbourhoods

Lead Officer: **Ann Cunningham**, Head of Highways and Parking
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Ward(s) affected: All

**Report for Key/
Non-Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1 Parking provision, including the national 'Blue Badge' scheme is intended to aid those with disabilities, makes a considerable contribution to the independence and social inclusion of disabled residents. The Blue Badge scheme provides a range of on-street parking concessions, providing free parking without a time limit in otherwise restricted environments. The scheme also allows parking for up to 3 hours on yellow line restricted streets, unless a loading ban applies. These concessions exist to help those who qualify under the scheme to park close to local services and facilities. In addition, local authorities are required to provide disabled parking bays that may be used solely by holders of Blue Badges.
- 1.2 There is variation in the disabled parking concessions offered by local authorities. Those concessions are determined by local transport conditions, with some authorities providing the statutory minimum with others providing concessions well beyond those requirements.
- 1.3 Haringey's disabled parking offer exceeds statutory requirements. A significant change to policy was implemented in 2019, which introduced dedicated disabled parking bays. This was supported by an additional eligibility criterion, making it easier for those with severe mobility restrictions to access the service. Further improvements were identified and agreed in 2020 following the Environment and Community Safety Scrutiny Panel review – Blue Badges and Supporting Better Access to Parking for Disabled People.
- 1.4 This report consolidates all service improvements, which are set out in Appendix 1. The report sets out the highlights and proposes further changes.

2. Cabinet Member Introduction

- 2.1 I am pleased to advise Cabinet colleagues of the range of improvements being made to the delivery of disabled parking services in Haringey. Those

improvements, supported by the ongoing investment in the service, will make a real difference to the lives of many disabled residents.

- 2.2 The Disabled Parking Action Plan is informed through feedback from disabled motorists and their representative groups either directly with me as the Cabinet Lead, with the service or through the excellent work undertaken by the Environment and Community Safety Scrutiny Panel. This is not our final position. I will be regularly reviewing progress on the actions set out in the Appendices to this report, as well as continuing to seek feedback from users to ensure that our services remain fit for purpose.

3 Recommendations

- 3.1 It is recommended that Cabinet:

- i) Agrees that Blue Badge Holders awaiting the replacement of a stolen Blue Badge are exempt from the parking restrictions for up to 3 weeks;
- ii) Agrees the increase in length of existing disabled parking bays to 6.6 metres to achieve consistency with any new disabled parking bays that are provided and compliance with the Traffic Signs Regulations and General Directions 2016; and
- iii) Gives delegated approval to the Head of Highways and Parking:
 - To make decisions relating to scheme design and implementation;
 - To carry out consultation;
 - To consider representations received in response to consultation and to report significant or substantial concerns back to the relevant Cabinet Member; and
 - To make traffic management orders, where there are no valid objections.

4 Reasons for decision

- 4.1 The Council has a statutory obligation to provide disabled parking facilities and to effectively manage the local delivery of the national Blue Badge scheme. This needs to be done in a manner that is meaningful and meets the requirements of disabled people.
- 4.2 This Disabled Parking Action Plan, including new proposals, will improve the service offer and ensure the delivery of a compliant and fit-for-purpose service.

5 Alternative options considered

- 5.1 Disabled parking provision will be kept under constant review to ensure that the parking needs of disabled residents and visitors are met. The consolidated Disabled Parking Action Plan is comprehensive, and no other options were considered at this point in time.

6 Background information

- 6.1 Disabled parking provision can make a significant difference to those with disabilities, allowing them to park near their home, workplace or other areas of interest. The Action Plan focuses on the following areas:
- On-street infrastructure;
 - Blue Badge scheme;
 - Fraud reduction;
 - Communications.

Environment and Community Safety Scrutiny Panel report on Blue Badges and Supporting Better Access to Parking for Disabled People

- 6.2 On 5th March 2020, the Environment and Community Safety Panel received a draft report entitled “Scrutiny Review – Blue Badges and Supporting Better Access to Parking for Disabled People.” That draft report was then considered by the Overview and Scrutiny Committee on 22nd June 2020 which submitted a final version of the report to Cabinet for its consideration.
- 6.3 At its meeting on 13th October 2020, Cabinet noted the outcome of the review and provided its responses to the 21 recommendations from the Overview and Scrutiny Committee. Whilst those recommendations and the responses are as set out in Appendix 2 of this report by way of background context, this report seeks to clarify the actions being taken to deliver on Cabinet’s commitment to those responses, including its investment in parking provision for the disabled in 2021/22. Where there is a specific link in this report to a Cabinet commitment, this will be signified accordingly (e.g. “Scrutiny Review Recommendation 14”)

Disabled parking bays

- 6.4 There are circa 1700 disabled parking bays on the public highway across Haringey, which represents a significant percentage of kerbside parking bays. The majority of these are general disabled bays (which can be used by any Blue Badge holder). Although Blue Badge holders may also park without time limit in residential, shared use and paybyphone parking bays, provision for additional general disabled parking bays is still made, where required, especially in town centres, near health centres and other places of interest or amenity.
- 6.5 The Traffic Signs Regulations and General Directions (TSRGD), a Statutory Instrument last amended in 2016, identify that disabled parking bays should be a minimum of 6.6 metres where they are provided parallel to the kerb, which is normal practice. This length allows access to the rear of the vehicle (for example for wheelchair access) and free passage between parked vehicles. The minimum width should be 2.7m, although in practice, disabled parking bays are generally provided to the same width as standard bays, due to restrictions in road width.

Dedicated disabled parking bays (Scrutiny Review Recommendations 2 and 3)

- 6.6 Since 2019, the Council has been providing dedicated disabled parking bays for applicants who require a dedicated space outside their home or place of work. These spaces are for the exclusive use of one vehicle, whether owner or registered carer. They are aimed to support independent living for those who

cannot travel far and are implemented where applicants meet the Council's criteria (which may include undergoing an independent assessment).

- 6.7 Approximately 40 out of the 1700 disabled parking bays are currently dedicated disabled bays. These dedicated disabled parking bays are either bays that are provided as new or have been converted from a general disabled parking bay to meet the individual's need. To date, an additional 50 spaces have been consulted upon with more requests coming to the Council for consideration.

Upgrading of disabled parking bays

- 6.8 The majority of disabled parking bays have been provided at 5.5m in length. However, there are instances where these have been provided at 6.6m in length when requested to meet the individual's needs.
- 6.9 Whilst some progress has been made in extending the length of existing disabled parking bays, at least 85% of all such existing bays are yet to be upgraded. £200k is allocated in the Capital Programme for 2021/22, as presented to Cabinet on 9th February 2021 to upgrade all other disabled parking bays to 6.6m in length as part of a dedicated programme. This work should be complete by the end of the 2021/22 financial year (Scrutiny Review Recommendation 15).
- 6.10 It should be noted that, in most cases, these bays have been provided adjacent to other types of parking bays or waiting and loading restrictions. Any changes to increase the length to 6.6m will likely reduce adjacent provision. For this reason, confirmation will be sought that each existing disabled parking bay is still required as this is not always the case. For any existing disabled parking bay for which the original provision no longer applies, an assessment will be undertaken to determine if it can be used to serve local amenities or be otherwise re-purposed. A phased approach is recommended to help speed up the programme and deliver the changes where they are most needed first, taking into account other work programmes planned for the same areas (Scrutiny Review Recommendation 15).
- 6.11 It is proposed that this increase is progressed via a statutory consultation with properties close to the affected bay/s informed of the proposals, including how they can object.
- 6.12 **Where new dedicated disabled parking bays are provided**
At present, each applicant is given the option to request a longer bay, i.e. 6.6m. This offer is made clear in the application process and is actioned unless it cannot be safely accommodated. The application process will be amended, and all dedicated bays will be implemented at 6.6m, subject to the outcome of the statutory consultation process. Where dedicated bays have already been provided at 5.5m, similarly increasing these to 6.6m will be covered under the next phases.
- 6.13 **General disabled parking bays provided outside amenities**
These include bays provided near shopping areas, doctors' surgeries, libraries, community centres, etc. The number of bays provided near an amenity currently

stands at circa 120. These bays could at any time be used by someone with a wheelchair and would therefore also need to meet the 6.6m length requirement, as they need to cater for the needs of all Blue Badge holders. This will allow especially those using a wheelchair additional space to move between the vehicle and the footway. Where these bays do not comply with the 6.6m length (the majority will not comply unless a previous request led to it being lengthened), they will all be increased to 6.6m and dropped kerbs provided where none exist. This will be subject to an assessment being undertaken for each site to ensure the change can be safely accommodated and the outcome of the statutory consultation process.

6.14 General and dedicated disabled parking bays located in residential areas where new controlled parking zones (CPZ) or change in operation hours of existing CPZs are being proposed for 2021/22

When the consultation on these is undertaken, the information sent to all premises within the CPZ boundary will include two specific pieces of information. Firstly, it will provide information on the Council's offer of dedicated disabled parking bays to help support residents who cannot travel far to their vehicle and provide information on how they can apply for one. Secondly, it will state that all disabled parking bays (both general and dedicated) will be increased to 6.6m to conform to the regulations, subject to an assessment being undertaken for each site to ensure the change can be safely accommodated. The changes to the disabled parking bays will be subject to a statutory consultation process separate from any consultation undertaken on proposals for the operation of the CPZs.

6.15 General and dedicated disabled parking bays in residential areas not covered under the above phases

Where these bays do not comply with the 6.6m length (majority will not comply unless a previous request led to it being lengthened), they will all be increased to 6.6m. This will be subject to an assessment being undertaken for each site to ensure the change can be safely accommodated. All changes to the bays will be subject to a statutory consultation process. As part of the notification during the statutory consultation process, all properties near where disabled bays are located will be informed of the proposals, including how they can object. The letter will also inform them of the dedicated disabled parking bay offer and how they can apply for one.

Blue Badge Scheme

6.16 Many of the improvements under way relate to the delivery of the Blue Badge Scheme. The Scrutiny Review: Blue Badges and Supporting Better Access to Parking for Disabled People highlighted many changes that were needed to improve access to those services.

6.17 The current multi-organisational delivery of this service can present challenges with delays and the perception of a lack of responsiveness. Improvements have already been made to the handling of assessments to determine eligibility, with a move to desk-based assessments where possible conducted by expert assessors employed by the Whittington Trust (Scrutiny Review Recommendations 8, 9, 20 and 21). This limits face-to-face appointments by

those same assessors to situations where eligibility simply cannot be determined without a mobility assessment. This arrangement was trialled to ensure some continuity of service during the Covid-19 restrictions.

- 6.18 This improved application handling times, whilst limiting inconvenience to applicants. Following this successful trial desk-based assessments will continue to be used where possible post pandemic. Improved communication and explanation of process has also improved face-to-face mobility assessments. Applicants are now better prepared for their assessment, ensuring a better use of time and resources, avoiding the need for rescheduled appointments.
- 6.19 Mobility assessments are currently undertaken in Bounds Green and Wood Green where Whittington Trust colleagues have the necessary infrastructure in place. Whilst those centres are quite centrally located, work will progress with Whittington Trust to identify an additional site in the east of borough.
- 6.20 The implementation of a Blue Badge 'Case Management System' (CMS) will also improve service delivery, allowing online payments as well as other improvements. Enhancements shall be made to this system to keep abreast of any further changes that may be made to the Blue Badge scheme.

Blue Badge - fraud reduction

- 6.21 The Blue Badge scheme allows a wide range of parking concessions. The demand for Blue Badges has increased significantly. The scheme was introduced to improve access for disabled motorists, especially those with very limited mobility. However, the substantial monetary value of a Blue Badge has, in many ways, contributed to both increasing demand and abuse or misuse of the scheme. The misuse of Blue Badges undermines the benefits of the scheme, impacts upon local traffic management, has significant cost implications for local authorities and creates hostility amongst other Blue Badge holders and members of the public, including residents from areas of high parking pressure.
- 6.22 Abuse can occur from the point of the initial application, where individuals who do not meet the criteria set out in associated legislation can access the service. Local authorities are required to adopt a robust assessment process. Abuse also includes theft and illegal duplication, as well as misuse by family members. The level of abuse on street is extensive and, like most boroughs, much work is required to combat this problem.
- 6.23 The Council is reducing the opportunity of theft of those badges through the companion badge scheme, soon to be replaced with a free virtual residential parking permit (Scrutiny Review Recommendation 10). Most Blue Badge theft occurs at night when vehicles are parked outside residential properties. Blue Badges that are stolen are cancelled immediately on notification, with inspections undertaken by the parking service, as well as through joint operations with the police.

- 6.24 The new parking IT system will allow civil enforcement officers (CEOs) to carry out checks on Blue Badges through the new mobile software, increasing the opportunity to identify and seize badges being misused. This will also involve the immediate issue of a penalty charge notice (PCN) and, where possible, the removal of the vehicle in order to confiscate the badge (Scrutiny Review Recommendation 9).
- 6.25 The replacement of stolen badges takes at least two weeks. The parking service has informally offered exemptions from parking restrictions to badge holders awaiting a replacement badge for up to three weeks. It is now proposed that this arrangement is formalised and communicated more widely. This will, in most instances, involve one point of contact by the motorist who owns their own vehicle. Alternative arrangements will be developed for situations where multiple vehicles may be used to transport a Blue Badge holder who does not drive.
- 6.26 Back office resources are also being increased to allow follow-up investigations of instances of misuse and to build capacity to progress prosecution of perpetrators, which should act as a clear deterrent.

Communications

- 6.27 A communications plan has been developed to raise awareness of the disabled parking offer, ensuring that those entitled to support can access it. The plan will also cover fraud and abuse raising awareness of the impact.

Cycle lanes

- 6.28 Many disabled people cycle, some using non-standard cycles; some find cycling can be easier than walking, and a way to be independent, fit and healthy. Inaccessible cycle infrastructure is the biggest difficulty faced by disabled cyclists (Wheels for Wellbeing, Annual Survey 2018). Ensuring cycle infrastructure is accessible and meets the needs of disabled cyclists was cited as the most effective way of encouraging more disabled people to cycle.
- 6.29 To address poor air quality and improve health and wellbeing, it is important to reduce private car journeys through Haringey, allowing the space on the roads for other modes, whilst retaining space for essential journeys and for those who cannot travel by other means like some disabled people.
- 6.30 Keeping mandatory and advisory cycle lanes free from parked vehicles and as wide as possible helps to encourage their use and thus more fully support an 'active travel' approach. Cycle lanes also need to be safe to use so this means removing the risk of collision, both from vehicles entering/exiting cycle lanes and from doors opening in front of oncoming cyclists (dooring).
- 6.31 It may therefore not always be practical to introduce standard cycle lanes on roads on which disabled parking bays are already provided. The safety of both the disabled driver/passenger as well as the cyclist (who themselves could be disabled) must be considered. Some disabled people may need to open the car door fully to safely leave their vehicle. This may increase the risk of a collision with an approaching cyclist, especially if they cannot turn fully to see behind

them before opening the door and therefore unable to provide adequate warning to the cyclist to allow them time to stop if they cannot safely pass them.

- 6.32 In order to address this issue, if a disabled parking bay will be affected by any cycle lane proposal, an assessment needs to be made on the practicality of the bay's relocation. If the bay is regularly used, moving the bay to the nearest side road may not be a viable solution for the disabled driver. Where an alternative location is not possible then consideration should be given to widening the cycle lane locally to allow room for a cyclist to pass the vehicle safely - including room for the door opening. There may be instances when a compromise needs to be made. This needs careful thought and an Equality Impact Assessment undertaken on the proposal, taking into account the Council's Public Sector Equality Duty ('PSED') under the Equality Act 2010.

7 Contribution to strategic outcomes

- 7.1 The Disabled Parking Action Plan supports three themes within the Borough Plan 2019-2023 – People, Place and Economy.
- 7.2 **People Theme:** Our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential. The availability of Blue Badges and access to parking will contribute to specific Outcomes within this theme including:
- All children and adults are able to live healthy and fulfilling lives, with dignity, staying active and connected in their communities through safe and efficient access to disabled parking.
- 7.3 **Place Theme:** A place with strong, resilient & connected communities where people can lead active and healthy lives in an environment that is safe, clean and green. The Disabled Parking Action Plan will contribute to specific Outcomes within this theme including:
- A cleaner, accessible and attractive place – improved access to disabled parking services.
 - A proud resilient, connected and confident place- improved access to disabled parking services.
- 7.4 **Economy Theme:** A growing economy which provides opportunities for all our residents and supports our businesses to thrive. The Disabled Parking Action Plan will contribute to specific Outcomes within this theme including:
- A borough where all residents have access to training and skills development opportunities and more people are supported into work - e.g. the issuing of Blue Badges and provision of disabled parking bays allows disabled motorists access to training, education, and employment.

8 Statutory Officers comments

8.1 Finance Comments

- 8.1.1 This report sets out the proposed expenditure for the 2021/22 Disabled Parking Action plan

8.1.2 The cost of delivering this action plan is estimated at £200k and has been included within the Council's approved Capital Programme as agreed by Council at its budget setting meeting of the 1st March 2021.

8.1.3 The revenue costs of the proposed investment are budgeted for in the MTFS as agreed by Council at its budget setting meeting of the 1st March 2021.

8.2 Procurement comments

Not applicable.

8.3 Comments of the Head of Legal and Governance (Monitoring Officer)

8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted on the content of this report.

8.3.2 The Council has a statutory obligation to provide disabled parking facilities and to effectively manage the delivery of the national disabled Blue Badge scheme. It is intended that the proposals set out in this report undergo the necessary statutory consultation. As long as the statutory consultation is undertaken and due consideration given to representations made the decisions within this report are in accordance with the law, and the Council would be entitled to carry out those proposals. There is no legal reason why Cabinet cannot make the decisions set out in this report.

8.4 Equality comments

8.4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

8.4.3 The proposed upgrade of our disabled parking offer will improve transport facilities for disabled people by ensuring that parking bays are prioritised for their use, allowing them to keep and use a vehicle and giving them the freedom required to travel and access work and all other facilities that could not be accessed without this facility.

- 8.4.4 However, there is potential for the upgrade of disabled parking provision to impact negatively on groups with other protected characteristics, including women with young children or other caring responsibilities and elderly residents, by reducing the levels of non-disabled parking available for residential and leisure purposes. This may also negatively impact on relations between disabled residents and their neighbours or other road users, who may have increased levels of dissatisfaction.
- 8.4.5 The Equality Impact Assessment appended to this report sets out a detailed analysis of the equalities implications for changes to disabled parking provision, including mitigating steps we will take to reduce the impact of the works on individuals from other protected groups, and to foster good relations between disabled individuals and others.
- 8.4.6 Works to improve the administration of Blue Badge applications by moving primarily to desk-based assessments have already been initiated and are ongoing. These will improve application handling times, allowing disabled motorists who are entitled to a Blue Badge to receive this assistance in a timely fashion.
- 8.4.7 Mobility assessments are undertaken by employed assessors Whittington Trust in centres in Bounds Green and Wood Green (in central Haringey). The location of these assessment centres may negatively impact on disabled residents from the East of the borough who may have difficulties travelling to these locations and therefore struggle to attend an assessment necessary to obtain a Blue Badge. Given that residents of wards in the East of the borough are also more likely to be from lower-income households and/or more likely to be members of BAME communities, maintaining assessment centres located in central Haringey alone may disproportionately impact on individuals from these protected groups.
- 8.4.8 It is noted that the Council plans to work with Whittington Trust partners to identify an additional site in the East of the borough. This will help address the potential existing inequalities of current assessment arrangements.
- 8.4.9 The report proposes to formalise the Council's existing process of providing a three-week exemption from parking restrictions for individuals whose Blue Badges have been stolen while awaiting their replacement badge. The objective is to ensure that disabled motorists are not adversely impacted as a result of being targeted by criminals. The formalisation of the existing informal approach will ensure that the Council is treating all disabled motorists with a Blue Badge equally.
- 8.4.10 The communications plan which has been developed to raise awareness of the Council's parking offer will have the effect of promoting the rights of disabled residents by ensuring that those who are entitled to support know about it and can access it. It will also raise wider awareness about disability provision for non-disabled residents.

- 8.4.11 Continued roll-out of the communications plan will help us satisfy our duty under the Public Sector Equality Duty to foster good relations between disabled individuals and those with other or no protected characteristics. It will encourage better understanding of types of disabilities, the impact that they have on residents, and how our disability parking provision will help these residents to become more independent and engaged in public life.
- 8.4.12 The report proposes that, where cycle lanes are proposed that may affect disabled parking bays, extensive consultation will be undertaken, including of affected disabled car users, and bays will be relocated if possible. If not, an Equality Impact Assessment of the specific decision will be undertaken to assess the implications of associated works, including disabled motorists and disabled cyclists.
- 8.4.13 The proposed approach will ensure that the Council has given sufficient careful consideration of the impacts that cycle lane works will have on road users or cyclists with any of the protected characteristics, ensuring that any potential adverse impacts on protected groups have been identified and appropriate mitigations have been identified.

9 Use of Appendices

Appendix 1 - Disabled Parking Action Plan

Appendix 2 – 13th October 2020 Cabinet response to 22nd June 2020 Overview and Scrutiny Committee ‘Blue Badges and Supporting Better Access to Parking for Disabled People’ review recommendations

Appendix 3 – Equality Impact Assessment

10 Local Government (Access to Information) Act 1985

Blue Badge and Disabled Bay – Operational Review

The report on Blue Badges and Supporting Better Access to Parking for Disabled People.

Scrutiny Review: Blue Badges and Supporting Better Access to Parking for Disabled People.