

Report for: Cabinet Member Signing – 31 October 2022

Title: Change to Disabled Residential Parking Permit

Report

authorised by: Eubert Malcolm, Interim Director of Environment and Neighbourhoods.

Lead Officer: Ann Cunningham, Head of Highways and Parking.

Ward(s) affected: All

Report for Key /

Non-Key Decision: Key Decision

1 Describe the issue under consideration

1.1 The disabled virtual residential parking permit was introduced in December 2021 to replace the Companion Badge. Both of these schemes were introduced to reduce the theft of Blue Badges and associated car break-ins. The original Companion Badge allowed Blue Badge holders to park in disabled bays, residential and shared parking bays, as well as pay to park bays and for up to 3 hours on single or double yellow lines (where no loading restrictions apply), across the borough, without the need to display the Blue Badge thereby reducing the risk of theft.

1.2 The new disabled virtual residential parking permit was introduced with slightly less favourable conditions in an attempt to balance the benefits of the scheme with risk of abuse. The disabled virtual residential parking permit scheme has since been reviewed to now fully align with the original Companion Badge. The permit arrangements are currently that:

- Eligibility is extended to allow the vehicle to be registered to anyone in the same household. This is intended to deal with situations of a Blue Badge holder being precluded where the vehicle is registered in the partner's name or where the Blue Badge is issued to a minor.
- Usage is extended borough-wide, allowing holders to park in non-dedicated parking bays, residential, shared use and pay by phone bays across the borough.
- Permit holders are prohibited from parking on single or double yellow lines unless the Blue Badge and the Blue Badge clock are displayed.
- When using the disabled virtual residential parking permit, the Blue Badge must be available for inspection when requested by an Enforcement Officer.
- When using the free (disabled) virtual residential parking permit, the Blue Badge holder must be present either as the driver or passenger of the vehicle

and therefore personally making use of the concession, unless parked outside the home of the Blue Badge holder.

- 1.3 This report seeks authority to carry out a consultation on a proposal to change part of the arrangements detailed above. The proposal is to allow holders of a disabled virtual residential parking permit to park on single or double yellow lines for up to 3 hours where loading restrictions do not apply, without the need to display the disabled Blue Badge itself. The Blue Badge clock, however, will need to be displayed to determine the time that the vehicle was left. Disabled virtual residential parking permit currently need to display both the Blue Badge and the Blue Badge clock if parking on single or double yellow lines for up to 3 hours where loading restrictions do not apply.

2 Cabinet Member Introduction

Not applicable.

3 Recommendations

The Cabinet Member for Tackling Inequality and Resident Services is recommended:

- 3.1 To authorise officers to proceed to statutory consultation under Regulations 6-7 of the Local Authority Traffic Orders Regulations 1996 and Schedule 9 of the Road Traffic Regulations Act 1984 on changing the legal Traffic Management Orders under Section 6 of the Road Traffic Regulation Act 1984 to incorporate the following:

To extend the concessions of the disabled virtual residential parking permit to allow those permit holders to park on single or double yellow lines for up to 3 hours where loading restrictions do not apply, without the need to display the disabled Blue Badge itself but displaying the Blue Badge clock to indicate the time that the vehicle was left.

4 Reasons for decision

- 4.1 Statutory consultation is required prior to changes being legally implemented to parking permit schemes. This report seeks approval to proceed to statutory consultation on the extension of concessions that apply to the disabled virtual residential parking permit. This is intended to increase take up and reduce the theft of Blue Badges.

5 Alternative options considered

- 5.1 Consideration was given to retaining the current conditions which prevented holders of a disabled virtual residential parking permit from parking on single and double yellow lines. This was viewed as unsatisfactory as many Blue Badge holders want

to retain as many of the concessions that apply if they were displaying the Blue Badge itself and often there is no other suitable parking within the desired location available especially for those with mobility issues.

6 Background information

6.1 The Department for Transport (DfT) is responsible for the legislation that sets out the framework for the Blue Badge scheme, including associated guidance and for sharing good practice.

6.2 It is the role of local authorities to manage the day-to-day administration, policies and procedures, and to support the assessment, local provisions, and enforcement services to ensure customers are:

- Treated fairly and consistently
- Provided with a timely and cost-effective service, and
- That all administration processes are robust and resistant to abuse

6.3 Fraudulent Blue Badge parking can be categorised into two groups:

- Abuse of badges. This includes using a counterfeit badge, using a lost or stolen badge and using the badge of a deceased person.
- Misuse of genuine badges. This means using the badge when the holder is not present. Some people who fall into this category think (wrongly) that what they are doing is not fraudulent. A few will have failed to understand the restrictions on use, but most will chance their luck on the basis that it can be hard to prove. Either way, this is still a criminal offence; it can lead to prosecution and a criminal conviction.

6.4 Haringey Council introduced a scheme many years to help reduce Blue Badge theft. The original scheme, known as the Companion Badge, incorporated the vehicle registration number so that it could not be used on any other vehicle and was therefore of no value to anyone other than the legitimate holder. It did not replace the Blue Badge but could be used 24 hours a day in Haringey. Take-up of the scheme was relatively low, with 15% of Blue Badge holders choosing to purchase a Companion Badge.

6.5 The Companion Badge paper scheme was then replaced with a free disabled virtual residential parking permit in October 2021, for the badge holder's home Controlled Parking Zone (CPZ).

6.6 However, on implementation of the new scheme, existing permit holders reported that they found the new scheme still too restrictive. They requested that the current concessions be extended to allow Blue Badge holders who meet the criteria for a disabled virtual residential parking permit to be able to park on single or double yellow lines for up to 3 hours where loading restrictions are not present. This would

remove the need to display the Blue Badge itself and thereby consequently reduce the risk of the Blue Badge being stolen.

- 6.7 It is therefore proposed that statutory consultation is undertaken (in accordance with legal requirements) to extend the concessions of the disabled virtual residential parking permit. The extension will allow those permit holders to park on single or double yellow lines for up to 3 hours where loading restrictions do not apply, without the need to display the disabled Blue Badge itself but displaying the Blue Badge clock to indicate the time that the vehicle was left.

7 Contribution to strategic outcomes

- 7.1 Disabled parking services supports two key Themes within the Manifesto 2022-2026:

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 extension to the existing concessions will better allow disabled virtual residential parking permit holders to live healthy and fulfilling lives, with dignity, staying active and connected in their communities.

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.

8 Finance

- 8.1 This report seeks Member Approval to proceed to statutory consultation on the extension of concessions that apply to the disabled virtual residential parking permit as set out in paragraph 3.1; with a proposed 6-month implementation to evaluate the scheme's effectiveness.
- 8.2 The cost of the consultation is estimated to be £3k; there are no other requirements such as changed signage etc. The cost for running the scheme will be funded from existing revenue resources.

9 Legal

- 9.1 The Council has a statutory obligation to provide disabled parking facilities and to effectively manage the delivery of the national Blue Badge scheme. The Council also has a general duty under the Equality Act 2010 and must have regard in the provision of its services (including car parking services) to take steps to take account of disabled person's disabilities, even where that involves treating disabled persons more favourably than other persons by, for example, offering concessionary parking fees.

9.2 Authority is being sought to carry out a consultation. The Council may under sections 6 of the Road Traffic Regulation Act 1984, (the 1984 Act) make an order for controlling or regulating vehicular and other traffic (including pedestrians) for the purpose under schedule 1 of the 1984 Act. This includes places in streets where vehicles, or vehicles of any class, may, or may not, wait, either generally or at particular times. Prior to making any order the Council must carry out the consultations as set out in Schedule 9 of the 1984 Act and Regulations 6 and 7 of the Local Authority Traffic Orders Procedure Regulations 1996.

10 Procurement

Not applicable

11 Equalities

11.1 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.

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

11.3 Proposals in this report extends the concessions of the disabled virtual residential parking permit therefore facilitating the transport and movement of mobility-impaired people throughout the borough, whilst offering Blue Badge holders protections from the theft of their badges which would otherwise have to be displayed. As such, it is considered to have a positive equalities impact for those sharing a protected characteristic (Disabled).

12 Use of Appendices / background documents

None

13 Local Government (Access to Information) Act 1985

- Parking Charges report – ULEZ Readiness February 2020.
- Parking Charges report – Outcome of Statutory Consultation September 2020