

Norfolk Parking Partnership

Report title:	Expanded Eligibility for Blue Badge Holders – Impact on Service
Date of meeting:	14 February 2019
Responsible Officer:	Nick Tupper – Assistant Director, Highways and Waste

Strategic impact

Responsibility for investigation and prosecution of Blue Badge offences lies with Norfolk County Council as highway and enforcing authority. The Blue Badge Investigator is funded by the Norfolk Parking Partnership (NPP) until March 2019. In 2018 the Government consulted on an expansion of eligibility for the current Blue Badge scheme to those with hidden disabilities. This could impact on the current level of service provided by the Blue Badge Investigator and the level of demand for parking spaces.

Executive summary

The Blue Badge Investigation service has been in operation since 2016 and has made a positive impact on tackling both wrongful and fraudulent use of Blue Badges. The service is a valuable asset which is well received as wrongful use is an issue that impacts on all road users.

Reports of Blue Badge misuse and confiscations by Civil Enforcement Officers (CEO) have increased year on year. With the coming expansion (expected summer 2019) of the eligibility criteria for Blue Badges there is a potential for an increase of around 20% in the number of issued badges. This will in turn increase the risk of fraudulent and wrongful use.

This will also increase the level of demand for on-street Blue Badge parking in dedicated bays and double yellow lines, it will also increase the level of demand in off-street destinations.

Recommendations

That the Joint Committee:

- 1. Agrees to fund the Blue Badge Investigator post for a further period of 2 years.**
- 2. Notes the potential increase in Blue Badge use (as detailed below) and the impact it may have on the Blue Badge Investigation service area.**
- 3. Endorses close monitoring of the impact the expanded criteria has on the investigation element of the service**
- 4. Endorses a specific ‘toolbox’ talk for CEOs in relation to the widened eligibility criteria**
- 5. Agrees that relevant Officers within their Authorities highlight this with colleagues in their strategy and planning departments with a view to amending or updating policy as required.**

1. Proposal

- 1.1. The Blue Badge Investigator has been in post since 2016 with positive feedback from Blue Badge user organisations, such as Disabled Motoring UK, and the wider public. Abuse of the Blue Badge scheme is an issue that impacts throughout society from denying space to legitimate users to bringing the scheme into disrepute for non-users.
- 1.2. Reports of potential misuse come from members of the public, both online and through personal interaction with the Investigator and Civil Enforcement Officers while on patrol. As the service has become established and public awareness increased so has the level of reporting. In 2016/17 over a 6 month period 29 reports were received. In the 2017/18 financial year 103 reports were received and in the first 3 quarters of this (2018/19) financial year 86 reports have been received. This shows a steady increase in work load for the Blue Badge Investigator

- 1.3. Table showing disposals and level of reporting over the period of Blue Badge Investigation Service

Investigations of Blue Badge Infringements	2016-17 (since Nov 16)	2017-18	2018-19 (Apr-Jan)
Disposals:			
Formal prosecution (including caution)*	6	8	5
Advisory/warning letter or verbal advice from BBI	13	24	19
Details forwarded to parking team for CEO awareness	2	13	22
No action required (including insufficient or incorrect information to pursue further)	8	33	20
Investigation in progress/pending	0	0	3
Reporting:			
Reports from others (incl. public)	18	55	44
Identified by CEO	6	24	43
Identified by BBI	5	6	2

- 1.4. Due to the positive impact the Blue Badge Investigation service has both in terms of tackling misuse and positive public perception officers would like to see this service element continue.

Recommendation 1 – That the Joint Committee agrees to fund the Blue Badge Investigator post for a further period of 2 years

- 1.5. In January 2018 the Department for Transport (DfT) consulted on the expansion of the eligibility criteria for Blue Badges. The current rules embrace all conditions, physical or otherwise, but the regulations and guidance were not clearly understood and people with hidden disabilities find it difficult to access badges, even though their condition caused them very significant difficulties when undertaking a journey.

- 1.6. Norfolk County Council as a Blue badge issuing authority was one of 75 to respond to the consultation. The authority was in principle in favour of the amended criteria, which will give a great many more people access to this service but, as with other authorities expressed concerns over implementation and consequential impacts.
- 1.7. Broadly speaking for Norfolk County Council, as the Highway Authority, the impacts would be an increased demand for specific disabled spaces and use of the concession to park on double yellow lines for up to 3 hours.
- 1.8. The DfT published its consultation response at the end of the summer of 2018. It has decided to move forward with the expanded criteria of eligibility which will be implemented in the summer of 2019. They responded on the potential impacts of administration and parking provision.
- 1.9. The DfT calculated a very conservative estimate of a 6% increase in badge applications in England, resulting in 44,000 new badges being issued. Other Local Authorities believe the figure will actually be somewhere between 10% and 35%.

Norfolk has approximately 38,000 Blue Badge holders, a mean estimate of badge increases would be 22% which equates to 8,400 additional badges.

The National Fraud Office in 2012 estimated that 20% of Blue Badges in circulation were misused in some way, in Norfolk this could potentially equate to 1,600 of the newly issued badges.

We are currently receiving about 103 reports a year (2017/18 figures) with around 8% formal disposal. Almost every report requires some preliminary investigation even if no further action is pursued.

Therefore even a modest increase in the number of reports by 30% could have an impact on service delivery.

Recommendation 2 – The Joint Committee notes the potential increase in Blue Badge use and the impact it may have on the Blue Badge Investigation service area.

Recommendation 3 – The Joint Committee endorses close monitoring of the impact the expanded criteria has on the investigation element of the service.

2. Evidence

- 2.1. The Norfolk Parking Partnership, with Norfolk County Council as enforcing authority are 1 of only 52 Local Authorities, out of a possible 152, that undertake Blue Badge investigation and enforcement work. This was highlighted in December 2018 in a BBC report –

<https://www.bbc.co.uk/news/uk-england-46715503>

This should be seen in positive light that we are exemplar authorities that take this issue seriously due to its wide reaching societal impacts.

3. Financial Implications

- 3.1. The post of the Blue Badge Investigations Officer is wholly funded by the Norfolk Parking Partnership which is at present under financial strain.
- 3.2. The Blue Badge Investigator post is a 0.5Fte working a flexible week to suit the requirements of the investigations in progress.
The present level of reporting and work load can be adequately managed within this post and the budget set.

- 3.3. Should the level of reporting increase significantly above that experienced now then additional resource may need to be applied.
- 3.4. A case involving formal prosecution has a statutory time limit in which it has to be brought before Magistrates. Therefore investigations are time sensitive and additional numbers of reported offences could impact this.
- 3.5. At present Officers are developing a strategy to address the potential for an increase in reporting and case load. It may be possible to absorb some additional reporting by changing the way we work.
- 3.6. However, should the level of reporting increase significantly then the NPP may have to invest in further resource. At present this is envisioned to be of technical administrative support to assist in triaging the reports and setting up case files. This would free up the Investigators time to pursue the in-depth areas of each case.
- 3.7. The recent invitation to other non-voting members of the Norfolk Parking Partnership to become full members and to assist with financial contributions to offset the current deficit is a positive opportunity to ensure all members of the NPP help to fund Blue Badge Investigation service area.
- 3.8. A further paper specifically on budget implications will be brought to the NPP Joint Committee in the Autumn alongside the Annual Review following the implementation of the expanded Blue Badge Criteria when a more accurate picture of its impacts is known. This will allow prudent adjustments to the forward budget to be made.

4. Issues, risks and innovation

- 4.1. Not extending and funding the Blue Badge Investigators post will result in the loss of this service area which has very positive public perception.
- 4.2. The expanded criteria for Blue Badges will result in more being issued increasing the likelihood of fraud and wrongful use. Which in turn increases demand on the service.
- 4.3. With the Blue Badge criteria being extended to those with what are known as hidden disabilities there could be an increase in public reporting as new badge holders do not fit the traditional profile.
- 4.4. Civil Enforcement Officers as part of their role/powers have a duty to inspect Blue Badges where they suspect misuse. They already receive training on how to engage sensitively with the public in what are often stressful situations It would be beneficial for them to receive refresher toolbox type training with some specifics on the new types of health issues that may be involved.

Recommendation 4 – That the Joint Committee endorses a specific ‘toolbox’ talk for CEOs in relation to the widened eligibility criteria

- 4.5. Beyond the enforcement scope of this topic is the impact that expanded eligibility will have on the demand for Blue Badge parking. An increase in the numbers of badges issued will result more competition for on-street space and a demand for more off-street spaces. This is a wider issue that will impact strategically on current policy at both County, Borough and District level in terms of development planning.

Recommendation 5 – The Joint Committee agrees that relevant Officers within their Authorities highlight this with colleagues in their strategy and planning departments with a view to amending or updating policy as required.

5. Background

- 5.1. Below is a link to the relevant DfT consultation response published in summer 2018 –

<https://www.gov.uk/government/publications/blue-badge-disabled-parking-scheme-eligibility-consultation-summary-of-responses-and-outcome/blue-badge-consultation-summary-of-responses-and-government-response>

Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

Officer name : Tim Young

Tel No. : 222412

Email address : Timothy.young@norfolk.gov.uk



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