

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member Policy and Resources
Date:	27 October 2011
Title:	Blue Badge Reform Programme
Reference:	3323
Report From:	Chief Executive

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1. Executive Summary

1.1. The purpose of this paper is to outline the Government's reforms to the Blue Badge process

1.2. In line with the Government's proposals for reform of blue badges the report seeks

- agreement to enter into the access agreement with Northgate solutions for the production and distribution of Blue Badges
- to provide details of the consultation being carried out on the proposed changes.

2. Contextual information

2.1 Blue badges help people with mobility problems to park close to their destination, either as a driver or passenger. The badge belongs to a person, it is not attached to a car registration. A badge is issued for a three year period. The County Council is responsible for the assessment of eligibility for badges in accordance with criteria set by the Department for Transport (DfT) and for the production and issuing of the badges. Responsibility for enforcement of appropriate use rests with District and Borough Councils.

2.2 Currently there are approximately 70,000 badges in use in Hampshire with on average around 25,000 issued a year. As badges can be used anywhere in the United Kingdom these figures do not include badges which have been issued by other local authorities which may be used when visiting Hampshire.

2.3 Applicants will either automatically qualify or be subject to further eligibility assessment against criteria set by the DfT:

- Automatic entitlement applies to applicants who:
 - Receive the higher rate mobility component of the Disability Living Allowance
 - Receive a War Pensioners Mobility Supplement
 - Are registered blind
- Further assessment criteria require applicants to be aged 2 or over and have one or more of the following:
 - a severe disability in both upper limbs, regularly drive a motor vehicle but cannot turn a steering wheel of a motor vehicle even if that wheel is fitted with a steering knob
 - a permanent and substantial disability which means they are unable to walk or have very considerable difficulty in walking.
- In addition, children under the age of two may be eligible for a badge if they fall within either or both of the following descriptions:
 - a child who has a condition that requires that they be always accompanied by bulky medical equipment which cannot be carried around with the child without great difficulty;
 - a child who has a condition that requires that they must always be kept near a motor vehicle so that they can, if necessary, be treated for that condition in the vehicle or taken quickly in the vehicle to a place where they can be so treated.

People with a psychological disorder do not normally qualify unless their impairment causes very considerable, and not intermittent, difficulty in walking. People with temporary mobility problems do not qualify. On average approximately 2,500-3,000 applications are referred to GP's where further medical assessment is required.

3. Proposed Changes

3.1. Earlier this year following a consultation exercise into various aspects of the scheme the DfT published details of proposed measures to reform the blue badge scheme. The measures cover both eligibility for badges and administration of the scheme. The changes are intended to tackle badge fraud and misuse and to make the scheme fairer and more sustainable for those disabled people who rely on it most.

3.2. The proposals in relation to eligibility included:

- the extension of eligibility to more disabled children between the ages of 2 and 3 with specific medical conditions
- automatic badge entitlement to certain disabled armed forces personnel and veterans who receive specified benefits under the Armed forces and Reserve Forces (Compensation Scheme) Order 2011
- amendment of residency requirements for disabled Armed Forces personnel and their families posted overseas on UK bases, so that they can apply for a badge

- further research to inform a decision on whether or not to extend eligibility to people with a severe temporary disability (lasting at least one year)
- 3.3. In order to help ensure the scheme is consistently applied revised non-statutory guidance was to be published. This has now been received and the above changes made. The proposals also included wider use of independent mobility assessments to determine eligibility rather than the use of GPs to carry out assessments.
- 3.4. A new Blue Badge Improvement Service (BBIS) has been introduced to implement a new badge design making it harder to copy or alter. The intention is that in future badges are produced and distributed from one central point and a central database will be maintained of all badges issued which could be used by enforcement authorities. Subject to the necessary legislation the DfT proposes that only the new style badges can be produced from 1 January 2012.
- 3.5. Proposals also include providing improved powers for local authorities to tackle abuse and fraud by extending the grounds available to them to refuse to issue and to withdraw badges, providing local authorities with a power to cancel badges that have been lost, stolen, have expired, or have been withdrawn for mis-use, provide local authority-authorized officers with a power to recover, on-the-spot, badges that have been cancelled and misused and amend existing legislation to clarify wrongful use of a badge and the powers to inspect badges.
- 3.6. In order to pay for the changes local authorities will be allowed to raise the maximum fee from £2 to £10. This will be the first time the badge fee limit has risen since 1983. Currently it costs around on average £8 to process and issue a badge excluding any medical assessment costs.
- 3.7. Some of the above require changes to legislation. Regulations to institute the new changes including raising the charge are due to be laid in Parliament in October.

4. Implications for the County Council

- 4.1. As an issuing authority the main impact for the County Council is in relation to changes to the assessment process and to the production and distribution of badges.
- 4.2. The proposed use of independent medical assessments has potentially significant implications. Currently when an assessment is required this is undertaken by the applicants GP. Historically the cost of doing this was paid for by the PCT. From 1 April 2011 funding was transferred to Local Authorities as part of the department of Health's Learning Disability and Health Reform Grant. Initial guidance from the DfT issued in June strongly discourages the use of desk based assessments and recommends the use of assessments by medical professionals with expertise in mobility who are not involved in the treatment or care of applicants.

- 4.3. The Government has indicated that they plan to amend legislation in 2012 to require wider use of independent assessments. Discussions are currently taking place with Adult Services to consider the options for providing independent assessments. These need to bear in mind the geographical spread of Hampshire if applicants are going to be required to attend in person for an assessment.
- 4.4. At this stage it is not possible to assess what the costs will be of these changes. At present in the region of 2,500 to 3,000 applications are referred to GP's for further information at a cost of £25.70 per report. The likelihood is that the number requiring independent assessment will increase.
- 4.5. To develop and deliver the Blue Badge Improvement Service (BBIS) the DfT has let a contract to Northgate Information Solutions in partnership with Payne Security. The BBIS will include:
- secure printing, personalisation and distribution of the new badge design
 - a central database of all blue badges on issue and key information on badge holders
 - an on-line eligibility checker and application form via Directgov
- 4.6. From 1 January 2012 it will only be possible to issue the new badges. Local authorities are being asked to sign up to agreements with Northgate who will produce and issue the badges centrally based on information provided following assessment by the local authority. The cost of this service provided by Northgate will be £4.60 per badge. Currently the badge costs 44p to purchase and is sent out second class at a cost of 28p. Although there will be some saving in the cost of staff time in producing badges this is likely to be offset by the need to scan photographs of applicants in order for them to be sent electronically for central production.
- 4.7. In advance of the legislation to implement the changed arrangements for production of badges, local authorities are being asked to enter into access agreements with Northgate and to pre-order their badge production requirements. This will enable the work on integrating systems and arrangements for secure data transfer to be carried out.
- 4.8. Local Authorities have recently been contacted by TSO, The Stationery Office who have indicated that they will be able to provide a Blue Badge Production Service for a fee of £3 per badge. However this would basically be a production only service and in order to achieve other benefits e.g. in relation to on-street enforcement checks it would still be necessary separately to supply data to the BBIS via Northgate.

5. Conclusions

- 5.1. With effect from 1 January only the new badge format can be issued to new applicants or for renewals of existing badges. Under the proposed arrangements from DfT it is assumed that local authorities will enter into the national scheme at a cost of £4.60 per badge. This price will be fixed for 5 years.

- 5.2. The proposed reform of the blue badge scheme follows consultation by the DfT with local authorities and disabled groups and completion of an equalities impact assessment. In relation to the eligibility criteria local authorities have no discretion to change the criteria used to determine whether a person may receive a badge. A decision will be required however on the proposed increase in charge to £10 per badge to fund the costs of administering the Blue Badge Scheme. A short consultation exercise is therefore being carried out to help inform the making of that decision.
- 5.3. Depending on what is included in the legislation a decision will need to be made on the process for providing independent medical assessments. A further consultation exercise will be carried out when the proposals are clearer.

6. Recommendation(s)

- 6.1. Subject to the detail being checked by the County Council's Legal Team the County Council enter into the access agreement with Northgate solutions for the production and distribution of Blue Badges
- 6.2. A report be brought back to the Executive Member following the consultation exercise on the proposed increase in charge.
- 6.3. A further consultation exercise be carried out on the arrangements for administering independent mobility assessments when the requirements have been clarified by DfT.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> None	<u>Reference</u>	<u>Date</u>
Direct links to specific legislation or Government Directives		
<u>Title</u> In February the Government announced a major programme of reforms to the Blue Badge scheme. The reform programme has been developed in consultation with disabled people, local authorities and other stakeholders, and on the basis of research and economic analysis. Details can be found at: http://www.dft.gov.uk/topics/access/blue-badge/reform-of-the-blue-badge-scheme/	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. The County Council is using the impact assessments carried out by the DfT. These can be found at

<http://assets.dft.gov.uk/publications/blue-badge-reform-equalities-impact-assessment/blue-badge-reform-equalities-impact-assessment.pdf>

<http://assets.dft.gov.uk/publications/blue-badge-reform-impact-assessment/blue-badge-reform-impact-assessment.pdf>

A local assessment will be finalised following the consultation

2. Impact on Crime and Disorder:

2.1. Proposals are intended to reduce fraudulent use of Blue Badges

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

Non

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Non