

Consultation Response Document:

**Blue Badge Consultation: Summary of Responses and
Government Response**

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PART 1 - INTRODUCTION

1. On 22 March 2010, a public consultation was launched about some aspects of the Blue Badge (Disabled Parking) Scheme. It considered:
 - improving the enforcement regime for the Blue Badge Scheme, including possible amendments to primary and secondary legislation;
 - other proposals for amending the primary legislation that covers the Blue Badge Scheme, in particular on appeals, guidance to local authorities on eligibility assessments, data-sharing, non-residents, organisational badges and other administrative arrangements;
 - extending the eligibility criteria to more children under three years of age with specific medical conditions, and to certain severely disabled service personnel and veterans in receipt of a specified award under the Armed Forces Compensation Scheme; and
 - the distribution methodology for funding to help local authorities to establish independent mobility assessments.
2. The consultation document was published on the Department for Transport's (DfT) website and sent electronically to stakeholders from local authorities, other government departments, private companies, and representative organisations. The consultation was also advertised on the Improvement and Development Agency (IDeA) website, in the local authority Chief Executives newsletter and in the DfT's Blue Badge newsletter. The consultation ran for 14 weeks, closing on 2 July 2010.
3. In total 225 responses were received. Not all respondents answered all questions and some responses did not clearly express an opinion in favour of, or against, the proposed options. Only respondents answering the specific questions have been included in the analysis, but there were also some general responses that the Department has noted. The responses can be broken down as follows:

Table 1 - Breakdown of Responses	
Business Groups	6
Central Government	1
Individuals	70
Local Government	97
Other	12
Representative Groups	39
TOTAL	225

4. A full list of respondents can be found at Annex A

Geographical coverage

- 5.** The consultation covered England only as the Blue Badge Scheme is a devolved matter.

Table of Questions

Table 2 - Table of Questions	
No.	Question
Q1	What would be the advantages and disadvantages of a new power to cancel Badges that are reported as lost or stolen, or have expired, or are withdrawn for misuse?
Q2	What would be the advantages and disadvantages of giving local authorities a new power to confiscate Badges (a) that have been cancelled and (b) that are being used by a third party for their own benefit?
Q3	What would be the most appropriate circumstances in which such a power could be used?
Q4	What safeguards should be built into any new power?
Q5	What would be the most effective ways of removing invalid Badges from circulation?
Q6	Do you think that local authorities should be able to tow vehicles that (a) display cancelled or invalid Badges or (b) a third party is misusing a Badge for their own benefit?
Q7	What would be the advantages and disadvantages of removing the current three relevant convictions requirement from the legislation?
Q8	Should there be any additional grounds for refusing to issue a Badge? If so, what would you suggest and why?
Q9	Should there be any additional grounds for withdrawing a Badge? If so, what would you suggest and why?
Q10	What would be an appropriate appeal route to deal with disputes over whether Badges should be withdrawn and unsuccessful applications?
Q11	What are your views on the suggestion that there should be more prescription from central government on eligibility assessment? What suggestions do you have on how this should be implemented?
Q12	What do you think would be the advantages and disadvantages, and potential costs and benefits, of the Secretary of State taking a new power to require local authorities to use any data-sharing system?
Q13	What suggestions do you have as to how we could allow certain non-residents to apply for a Blue Badge?
Q14	What are your views on organisational Badges? What are your suggestions for how abuse might be prevented?

Q15	Do you agree with the way in which we propose to extend eligibility to children between the age of 2 and 3 with specific medical conditions? Please provide information to support your decision.
Q16	Do you have any comments on these proposed transitional arrangements? Please provide information to support your decision.
Q17	What are your views on this option? Please provide advantages and disadvantages with this approach.
Q18	Do you think that funding should be distributed via RSG or via ABG? Why do you have that preference?
Q19	If DfT decides to allocate funds via ABG, do you agree that distribution of the funding based on the number of people aged over 65 and the number of people in receipt of HRMCDLA (according to the weighting above) would be appropriate?
Q20	If not, what are the reasons that distribution based on these variables would be inappropriate, and what distribution would you deem to be preferable?
Q21	What are your views on giving greater weighting to authorities with high population sparsity? Can you provide any research or evidence of different unit costs to support your views?
Q22	If you think that higher weighting should be given to authorities with high population sparsity, do you agree that a weighting based on population sparsity as used in the CLG relative needs formula would be appropriate?
Q23	Do you have a view on whether there should be any payment “floors” or “ceilings”?
Q24	If so, is this view based on any cost-based research or evidence that would help in determining appropriate levels?

PART 2 - EXECUTIVE SUMMARY

6. The DfT is delighted with the high response rate and grateful for the time people took to reply. Responses to the consultation were used to develop the reform programme and inform the decisions that were announced on the same date this report was published.
7. The Blue Badge scheme in England gives a concession to disabled people to park where particular restrictions may otherwise apply. The scheme plays an important role in helping severely disabled people to access jobs, shops and other services. The aim of the Blue Badge scheme is to give disabled people who rely on car travel the opportunity to park close to the services they need to access. The Blue Badge reform programme will support this aim by giving local authorities the tools to:
 - Deliver the scheme to the right people
 - Crack down on those who flout the rules
 - Deliver the scheme efficiently so cost and time savings can be made in administration.
8. The Blue Badge scheme was set up in the 1970s. Badges can be issued to individuals who meet certain eligibility criteria. Most badges are valid for three years and entitle badge holders to park without charge or time limit at on-street pay and display areas and parking metres, and for up to three hours on yellow lines, unless a ban on loading or unloading is in place. Badge holders can apply for other concessions, for example discounts from the congestion charge in London and some bridge and road tolls. The Blue Badge scheme does not apply to off street-car-parks.
9. The scheme is administered by top tier local authorities, for example, county councils. It is enforced by second-tier local authorities, for example district councils. Unitary authorities, including London boroughs, will do both. Most enforcing authorities use their parking enforcement teams to enforce the scheme, so civil enforcement officers are typically involved, although, in some areas parking enforcement is still the responsibility of the police and so enforced by traffic wardens.
10. Respondents were keen for us to tackle abuse of the badge to ensure that disabled parking is made available to those who need it the most. Where badges have expired, been lost or stolen, or are to be withdrawn for repeated misuse, there was broad support for new powers to enable local authorities to cancel badges and recover them on the street if necessary (if they have not already been returned). The need for authorities to obtain three convictions before a badge can be withdrawn was seen as too lenient and an insufficient deterrent to offenders and there was general support for an amendment to this rule. Many saw a new badge design and a system for sharing information between local authorities as necessary tools to support improved enforcement.

11. Although there was general support for improved enforcement, concerns were expressed that action should not be disproportionate, that badge holders should not suffer as a result of badge abuse by third parties, that badges should not be withdrawn for minor offences or without prior warning, and that a right of appeal should continue to exist.
12. Some respondents noted that organisational badges were open to abuse unless they were easily identifiable, although others recognised that these badges are vital for some disabled people.
13. There was strong support from all respondent types for greater prescription from central Government on eligibility assessments. Support was particularly strong from respondents from local government and representative organisations.
14. There was strong support for extending eligibility to certain children between the ages of 2 and 3 with specific medical conditions, and to severely disabled service personnel and war veterans.
15. More respondents supported use of an Area Based Grant (ABG) to distribute assessment funding, rather than Revenue Support Grant (RSG). Those supporting ABG thought that it targets funding better, reflects needs and recognises demographics and population. Those who supported RSG viewed it as being more consistent with other methods of funding and better at reflecting the differing costs of assessments in different areas.

Next Steps

16. The Government has considered the responses to the consultation, and has decided to proceed with the following:
 - Implement a new badge design that is harder to copy, forge and alter. Arrangements for printing, personalising and distributing the badge will also be changed to prevent fraud from happening in the first place and to introduce more effective monitoring of cancelled, lost and stolen badges
 - Amend primary and secondary legislation to provide improved powers for local authorities to tackle abuse and fraud and address other issues
 - Transfer to local authorities control of current NHS spend on Blue Badge eligibility assessments
 - Require wider use of independent mobility assessments to determine eligibility, including where previously that assessment was carried out by a GP
 - Extend eligibility to more disabled children under the age of 3 with specific medical conditions and provide continuous automatic entitlement to severely disabled service personnel and veterans

- Establish with local authorities a service improvement project that will deliver operational efficiency savings, help to reduce and prevent abuse and improve customer services. The project will also result in an on-line application facility and should result in faster, more automatic renewals for people whose circumstances do not change between renewal periods
 - Raise the maximum fee for a badge that local authorities can charge from £2 to £10 to allow for the new badge design to be produced and to cover local authority costs more appropriately
 - Amend residency requirements for Armed Forces personnel and their families posted overseas on UK bases
 - Issue new good practice guidance to local authorities to help them make improvements in scheme administration and eligibility assessment
- 17.** The above changes will be implemented between April 2011 and 2013/14. The changes needed to primary legislation will be dependent on the availability of Parliamentary time and may therefore be implemented at a later date. They have been developed through close working and consultation with local authorities and disabled people, and changes are in line with the Government's agenda for supporting freedom and fairness. The Government is committed to continuing to address the mobility needs of those disabled people who need the most help to travel.

PART 3 - DETAILED SUMMARY OF RESPONSES

Question 1: What would be the advantages and disadvantages of a new power to cancel badges that are reported as lost or stolen, or have expired, or are withdrawn for misuse?

Table 3 Summary of Respondents to Question 1		
Business Groups	3	2%
Individuals	29	22%
Local Authorities	70	53%
Representative Organisations	24	18%
Other	5	4%

Summary of Responses

- 18.** There were 131 responses to question 1. The majority of respondents were positive about having a new power to cancel badges. Of those who clearly saw advantages or disadvantages, most representative organisations, almost all local authorities and almost all individuals, saw advantages to this option.
- 19.** Lancaster City Council, which is responsible for enforcement of the scheme, responded that, "The advantage of changing the primary legislation to allow local authorities to cancel badges is a fundamental requirement of being able to achieve one of the main objectives of the review." Many respondents reasoned that such a power would help with enforcement which, in turn, would free up parking spaces for legitimate badge holders. Others pointed out that it could improve the image of the scheme and send out a message to those who are currently abusing it. The London Borough of Bexley responded that the new power may encourage members of the public to more readily report abuse if they knew that action could be taken to cancel badges. The London Borough of Hackney said that that it would also increase the chances of people surrendering the badge when confronted. Six local authorities who enforce the scheme thought this power would give 'clarity' to enforcement rules.
- 20.** A few respondents suggested other ways of encouraging people to surrender badges when they have expired, for example, sending reminder letters at renewal periods and local authorities holding information events.
- 21.** Over twenty responses to this question noted that implementation and use of this power would be dependent on the existence of a central or national database of badge holders. There was a general consensus that local authorities would need to have access to such a system in order for the power to have maximum benefits in anywhere other than their local area.

- 22.** 5 responses noted only disadvantages to introducing a new power to cancel badges that are reported as lost or stolen, have expired, or are withdrawn for misuse. Three of these were from representative organisations, one was from a private individual and one was from an issuing local authority. The representative organisations noted that badge holders should not be subject to inappropriate enforcement action and they ought to be given adequate notice and time to renew their badge by the local authority. The British Medical Association (BMA) raised a concern over the liability of the badge holder where a carer acts on their behalf, for example, when returning the badge. An individual expressed unease that badges might be misused without the badge holder's permission and this could mean that the holder is punished for someone else's wrongdoing.

Question 2: What would be the advantages and disadvantages of giving local authorities a new power to confiscate badges (a) that have been cancelled and (b) that are being used by a third party for their own benefit?

Summary of Responses

Table 4 Summary of Respondents to Question 2		
Business Groups	4	3%
Individuals	29	21%
Local Authorities	73	54%
Representative Organisations	26	19%
Other	3	2%

- 23.** There were 135 responses to this question. The majority of respondents (74), were in favour of this new power. Included in these were 42 local government respondents, 20 individuals and 10 representative organisations.
- 24.** The broadest support for a new power to confiscate badges was from 'Individual' respondents. They saw mostly advantages and were keen to see less fraud and abuse of the scheme and for disabled parking spaces to be made available to those who need them most.
- 25.** Many in local government saw the advantages of confiscating expired, cancelled or fake Blue Badges. However, as well as seeing the advantages, some also noted disadvantages. Many had concerns over the personal safety of, and risks to, enforcement officers. Some also commented that

enforcement officers may have to observe vehicles for long periods, which might lead to resource issues.

- 26. Some responses, from local government and representative organisations, spoke about the need for enforcement officers to have disability awareness training.
- 27. 11 respondents were not in favour of this proposal. These expressed concerns about its use in cases where badges were being misused without the knowledge of the badge holder, who would be seriously disadvantaged.

Question 3: What would be the most appropriate circumstances in which such a power could be used?

Summary of Responses

Table 5 Summary of Respondents to Question 3		
Business Groups	3	3%
Individuals	23	21%
Local Authorities	67	60%
Representative Organisations	17	15%
Other	2	2%

- 28. 112 respondents answered this question. Respondents were in broad agreement about the most appropriate circumstances in which such a power could be used. These included when there is obvious or persistent mis-use of a badge when the badge is used by a third party; when the badge has been cancelled; when it is faked or forged, has expired or is stolen; or someone is using a badge that was issued to someone who had since died. A representative organisation and a local authority added that badges should be confiscated from those who are complicit in any misuse. One local authority said it could be used in cases where there are "repeated reports of a Blue Badge having been lost (as opposed to stolen)."
- 29. Although there was wide acknowledgement that use of badges by third parties for their own benefit is perceived to be a common problem, four respondents expressed concerns about confiscating a badge that was being mis-used in these circumstances. The Spinal Injuries Association's view was that "It would not be appropriate to remove a badge being used by a third party that is also being regularly used by a person in genuine need." Hertfordshire County Council warned that, in this situation, the power "should be used with much caution where a third party is using the badge."

They added that "Older, frail and very disabled people ... may not know about any third party abuse or may not be able to challenge any misuse... Thorough checks should be made with the issuing authority and possible enquiries made before badges are confiscated." Some respondents were also reluctant to support confiscation unless holders were giving a warning or warnings.

- 30. Some local authorities were concerned about any additional costs that might be involved.

Question 4: What safeguards should be built into any new power?

Summary of Responses

Table 6 Summary of Respondents to Question 4		
Business Groups	3	3%
Individuals	21	18%
Local Authorities	67	58%
Representative Organisations	22	19%
Other	3	3%

- 31. There were 116 responses to this question. Most responses stated that enforcement officers must be absolutely certain, having done adequate checks to obtain robust evidence, before confiscating a badge. Some recommended that checks be made with back offices and the issuing authority.
- 32. Many responses advocated the need for enforcement officers to have proper and robust training. This included disability awareness and customer care training, training to identify fraudulent badges, and conflict management as part of existing civil enforcement officer training. One representative organisation believed that training should be consistent across local authorities. One local authority thought disability groups should be consulted on the training requirements.
- 33. Some respondents requested clear guidance for enforcement officers. Nottinghamshire County Council suggested a code of conduct for enforcement officers. The London Borough of Enfield believed "Guidelines need to be set out detailing who can inspect a badge; how the badge can be confiscated [and] correct wording to state; what type of ID needs to be shown; and the public need to be made aware of the right to inspect and confiscate."

- 34. Other responses stated the need for a right of redress or an appeals system to be in place to deal with misunderstandings or alleged mis-use of the power.
- 35. A few respondents warned that local authorities should guard against overzealous enforcement. Tonbridge and Malling Borough Council proposed a safeguard to prevent this: "A regular review of the number of instances individuals and authorities confiscate badges that are not counterfeit, amended or being misused; to remove unnecessary zealotry on the part of the enforcement authority or individual CEOs." The BMA thought it "important to ensure that legitimate badge holders ... are not expected to explain their medical condition to a traffic warden in an undignified way or that would cause the badge holder unnecessary distress." Winchester City Council suggested that two enforcement officers could work together to combat risks of accusations of unfair treatment.
- 36. Mobilise and the Disabled Person's Transport Advisory Committee (DPTAC) advocated the protection by law of enforcement officers and a harsher penalty for anyone who assaults them. Mobilise and DPTAC also stipulated the need for "visual evidence ... in the same way as they do for other parking and traffic offences e.g. video recordings, photographs etc", to be required.
- 37. Many responses, from all categories of respondent, mentioned the need for a central data sharing system which would provide a communication channel between enforcement officers and also between issuing authorities and enforcement officers.

Question 5: What would be the most effective ways of removing invalid badges from circulation?

Summary of Responses

Table 7 Summary of Respondents to Question 5		
Business Groups	4	3%
Individuals	27	22%
Local Authorities	67	55%
Representative Organisations	20	16%
Other	4	3%

- 38. There were 122 responses to question 5. A significant proportion of responses mentioned that a national database would help, and/or a new

badge design which would enable badges to be checked immediately via hand-held devices carried by officers on the street.

39. Some took a harder line than others. Many respondents advocated the use of fines or the threat of fines to those who refuse to return invalid badges.
40. Many others suggested that improved communication with badge holders was needed, both on the issue and/or renewal of badges, for example, in leaflets or on application forms. Some also suggested making it as easy and accessible as possible to return invalid badges, for example, at 'drop off' points. The Citizens Advice Bureaux (CAB) requested that the process "needs to be as easy as possible, so that it is not a daunting task." Many others suggested that local authorities should provide pre-paid envelopes to badge holders to facilitate return.
41. Many respondents suggested including a Blue Badge leaflet in the 'packs' that are available from Death Registrars to help encourage the return of badges. One local authority suggested "Strengthen the return information in the standard 'death register pack'. There is a brief mention regarding return of a badge but it is lost in all the other information" and "The local registry section is unwilling to add additional instructions as Blue Badge is already mentioned." Leeds City Council suggested Death Registrars could also keep envelopes for the return of badges. Two respondents mentioned the 'Tell Us Once' project and the advantage of including the Blue Badge scheme in this initiative.
42. Some respondents proposed offering a financial incentive for sending back invalid Badges, perhaps in the form of a return deposit. Devon County Council supported offering "a badge 'amnesty'".
43. Many respondents were in favour of making it an offence not to surrender an invalid Blue Badge, and many respondents advocated fines for the failure to return them. Some mentioned the use of Fixed Penalty Notices or Penalty Charge Notices in cases where holders do not return expired or cancelled badges. The Spinal Injuries Association stated that "a local authority should demand the return of an invalid badge accompanied by a fine which rises incrementally the longer it takes for the vehicle owner to cooperate." Cambridgeshire County Council said "The impact of it being a criminal offence if a badge is not returned when instructed to do so will hold much greater sway than if not."
44. Many respondents were also in favour of the power to confiscate badges.
45. Many of the respondents were in favour of not issuing a new badge until the expired one had been returned, with a few suggesting that the only exception would be in cases where the holder can provide valid Police documentation to support a claim of badge theft. Some responses suggested that if badges are not returned by a certain date, the badge should not be renewed or further applications should be refused. St Albans

City and District Council suggested the "Consideration of removal of any associated benefit".

- 46. However, some respondents were keen that badges should not be required to be sent back to the local authority at renewal stage as this could leave holders without a badge for some time. The Community Transport Association (CTA) added, "We believe that a system adopted by some authorities whereby a badge holder is required to return their old (but still current) badge at the time they collect the new badge does not work ... because the badge holder is unable to display a badge and use a disabled bay when they go to collect the new badge."
- 47. There were words of caution from other respondents who urged that there should be sensitivity around giving penalties to badge holders with cognitive impairments. Greenwich Council stated that there "would need to be an agreed national process and an appeals process."

Question 6: Do you think that local authorities should be able to tow vehicles that (a) display cancelled or invalid badges or (b) a third party is misusing a badge for their own benefit?

Summary of Responses

Table 8 Summary of Respondents to Question 6		
Business Groups	3	2%
Individuals	29	23%
Local Authorities	68	54%
Representative Organisations	22	17%
Other	4	3%

- 48. There were 126 responses to this question. Respondents did not generally differentiate between parts a) and b) in their answers, but about 65% thought that local authorities should be able to tow vehicles.
- 49. Of those few responses which did distinguish between a) and b), the greatest concern was expressed over part a). Many respondents were concerned that vulnerable people may be penalised.
- 50. In response to question 6 as a whole, over half of representative organisations clearly favoured this proposal. About three-quarters of local government responses were explicitly in favour of this option. Mobilise said, "vehicles displaying cancelled badges should be towed away. They are after all not displaying a valid badge." Arthritis Care said, "We welcome the

proposal to grant local authorities the ability to tow away a vehicle that displays a mis-used or fraudulently used Blue Badge."

- 51.** Positive responses from local authorities included from Bath and North East Somerset Council: "This protects the use for blue badge holders and preserves their rights. Anyone abusing the system should not be able to benefit from its use", and Middlesbrough Council: "Middlesbrough Council recently undertook a review of blue badge enforcement issues in the town. Those consulted indicated that the misuse of blue badges by [able] bodied individuals was seen as a serious offence that should be addressed using the strongest enforcement measures possible. Hence we would support giving local Councils powers to ...remove vehicles in these cases."
- 52.** For those who were in favour of this power, a large majority noted caveats, concerns or safeguards in their response. These included the need for training of enforcement officers, including one response from the London Borough of Camden which said "we intend that only officers that have had disability awareness training will be able to authorise vehicle removal to the vehicle pound". Many advocated clear guidance, for instance, Hackney said: "the Government should provide clear guidance on how this should be used so that enforcement between councils is consistent." Many respondents also spoke of the need for robust evidence. The London Borough of Havering said, "This would constitute very effective action, providing decisions are based on robust evidence in order to remove the scope for mistakes." The CTA asserted that "Renewal reminders should be provided by every council to ensure that badge holders are given adequate time to renew the Blue Badge." The Association of Occupational Health Professionals said "there should be at least a 2 week 'grace' period for expired badges". Mobilise and DPTAC asserted, "One would presume that other evidence must have been gathered and therefore if the CEO is confident that abuse is taking place then we would support the vehicle being removed."
- 53.** One positive aspect of the power which seems to be shared by some local authorities is that it would enable local authorities to obtain details and clarify the identity of the offender, and "allows the enforcement officer to engage with the driver."
- 54.** Of those respondents who gave a clear response, 65% of individuals, 42% of representative organisations and 23% of local authorities were not in favour of this proposal.
- 55.** Of those who were not in favour, a few were concerned about the cost and manpower required to implement it but many regarded the power as dictatorial, overzealous, draconian or disproportionate to the offence. The East Grinstead Access Group asserted that "The risk of abuse or mistake is too high which would seriously affect trust between the council and disabled groups." Some respondents were worried about the distress this could cause for badge holders and a few were concerned that safeguards should be put in place. Across all responses, there was unease expressed over towing vehicles displaying expired badges.

- 56.** The Guide Dogs for the Blind Association and the Royal National Institute of Blind People (RNIB) expressed concern about how local authorities would communicate with blind and partially sighted badge holders, and in an accessible format. The Guide Dogs for the Blind Association responded: "Guide Dogs would have some concern as to how this measure would be communicated." RNIB added: "Blind and partially sighted people are unlikely to be able to read any expiry date on a badge ... and often do not receive any letter (or one which is accessible to them) saying that the badge is due to expire or know that they have been sent a new one. Towing their vehicle is likely to cause extreme distress if the badge holder has not intentionally used an invalid badge."

Question 7: What would be the advantages and disadvantages of removing the current three relevant convictions requirement from the legislation?

Summary of Responses

Table 9 Summary of Respondents to Question 7		
Business Groups	2	2%
Individuals	25	22%
Local Authorities	65	57%
Representative Organisations	20	17%
Other	3	3%

- 57.** There were 115 responses to this question. 52 respondents saw advantages and 12 respondents saw only disadvantages.
- 58.** 41 local authorities, 6 representative organisations, 4 individuals and 1 large company gave advantages to this option. These responses believed that the current three relevant convictions requirement was too lenient for offenders, overly restrictive in terms of operations efficiency, lengthy in terms of how long withdrawing badges can take, and rarely led to badges being withdrawn. The Blue Badge Team at Southampton City Council agreed, "Removing this requirement would facilitate more consistent and better enforcement at a local level." Access in Dudley said, "We believe that it will make the system run more efficiently and reduce the potential number of abusers of the Scheme significantly."
- 59.** Five representative organisations, four individuals and three local authorities noted disadvantages with this option. More representative organisations saw advantages than disadvantages, whereas individuals were evenly split in their opinions. Only 7% of those local authorities who were clearly for or

against the removal saw disadvantages. Some of these respondents were concerned about the prosecution of frail and vulnerable badge holders.

- 60. 17 respondents saw both advantages and disadvantages. Croydon Council perceived the advantages to be that enforcement action can be taken in many more cases of abuse, and there could be an improved public perception as well as more disabled spaces available to genuine users. However, they saw disadvantages in the possibility of an increased number of appeals and enquiries, and a financial burden of processing appeals or complaints.
- 61. A few respondents mentioned the need for an appeals process to be in place. Respondents also mentioned the need for clear guidance on the issue.

Question 8: Should there be any additional grounds for refusing to issue a badge? If so, what would you suggest and why?

Summary of Responses

Table 10 Summary of Respondents to Question 8		
Business Groups	2	2%
Individuals	17	20%
Local Authorities	53	62%
Representative Organisations	12	14%
Other	2	2%

- 62. There were 86 responses to this question. A considerable number misunderstood the question, for example 27 (31%) spoke about eligibility grounds rather than enforcement issues.
- 63. Of those respondents who gave a relevant answer, some proposed refusing to issue badges in cases where applicants already own a badge given by another local authority.
- 64. Many of the responses recommended occasions where badge holders had a certain number of unpaid or outstanding fines or Penalty Charge Notices (PCNs) and were therefore a "persistent evader." Many also advocated refusal to issue when badge holders have lost their badge, or claim to have had their badge stolen, a certain number of times.
- 65. Two responses mentioned cases when drivers of vans or taxi cabs or heavy goods vehicles apply as, currently, there is no way to deny a badge on these

grounds. Badges are issued to individuals rather than vehicles. North Yorkshire County Council said, "We have had instances of the badge being used on heavier commercial goods vehicles. We would question the appropriateness of this, but seem to be unable to prevent it."

- 66.** Failing to surrender an expired badge was mentioned in some responses, and one response referred to the regular failure to display the badge properly.
- 67.** There were, however, eight respondents who did not think there should be any additional grounds for refusing to issue a badge. This was because of concerns about inconsistency between local authorities in operating these refusals. Some respondents were keen that sufficient evidence was used. Access in Dudley said, "It is important that this is evidence based and the evidence is provable and presentable. Also it is important that each authority deals with this clause in the same way to avoid confusion and misinterpretation. We believe that the legislation should specify a period of time to refuse to issue a badge to clear offenders, such as a period of 12 months, rather than leave it to local authorities to decide on the length of time. This would provide a clear and consistent approach and would act as a better deterrent." Cambridgeshire County Council said, "The amount of times that a badge could be refused should be legislated and not left to local authorities to assess based on circumstances. Leaving to individual authorities to assess will lead to inequity across the country and leave local authorities open to challenge as to what is 'reasonable', thereby increasing the cost to manage the process."
- 68.** Two representative organisations expressed concerns that additional grounds could adversely affect disabled people.

Question 9: Should there be any additional grounds for withdrawing a badge? If so, what would you suggest and why?

Summary of Responses:

Table 11 Summary of Respondents to Question 9		
Business Groups	2	2%
Individuals	18	22%
Local Authorities	46	57%
Representative Organisations	12	15%
Other	3	4%

- 69. There were 81 responses to this question. Many respondents thought that badges should be withdrawn in cases where they were being misused and abused, and badge holders were letting third parties use the badge for their own benefit. East Hertfordshire District Council did however specify that withdrawal for misuse by a third party should not disadvantage the badge holder.
- 70. Many also referred to persistent illegal parking. Two responses mentioned failing to display the badge properly. Tonbridge and Malling Borough Council said it, "...believes that some holders are deliberately failing to display properly so as to prevent detection of misuse."
- 71. Some spoke of withdrawing badges from holders who have unpaid PCNs. Many responses also referred to cases when a badge has already been issued to an applicant by another local authority. Three respondents suggested withdrawal when a badge holder fails to allow an authorised officer to inspect the badge, with one including assault of the officer. Two respondents suggested withdrawal where a badge has been tampered with.
- 72. The National Council of Inland Transport said that if a badge holder is found guilty under the Fraud Act, they should not be allowed to apply for a Blue Badge for at least two years.
- 73. Blue Badge Fraud Investigation Ltd. warned that permanent withdrawal of a badge would constitute "victimisation." West Berkshire Council stipulated that any action should be subject to a right of appeal. East Staffordshire Borough Council said "Request for withdrawal needs to be underpinned by legislation rather than appearing an idle threat with no further course of action available to [local authorities]."

Question 10: What would be an appropriate route to deal with disputes over whether badges should be withdrawn and unsuccessful applications?

Summary of Responses:

Table 12 Summary of Respondents to Question 10		
Business Groups	1	1%
Individuals	15	13%
Local Authorities	65	57%
Representative Organisations	19	17%
Other	15	13%

- 74. There were 115 responses to this question. Over a quarter of respondents were in favour of the alternative system mentioned in the consultation document, which would formalise the right of review through a local authority in the first instance and then an independent arbitrator, (such as the Local Government Ombudsman). Others suggested the following additional ideas on how to deal with disputes.
- 75. About 12 respondents, mostly local authorities, thought that appeals should only be dealt with by the issuing authority.
- 76. On the other hand, eight respondents thought there should be a totally independent appeals process. Two thought that appeals should only be dealt with by the Local Government Ombudsman (LGO). However, another two respondents warned against referring appeals to the LGO as it would over-burden them or, if they were used, it should be strictly controlled. The London Borough of Hackney wrote that "The presence of an external person on the appeals panel would mean there would be no need for appeal to [a] body such as the Ombudsman."
- 77. Several respondents advocated using some sort of appeals panel that was made up of different representatives. Two respondents thought the Traffic Penalty Tribunal should be used. One thought that neighbouring local authorities could review refused cases for each other.
- 78. A few respondents were keen that the appeals process should be quick. Bury Council and partners thought that "policy & procedures relating to appeals should be put in the application pack". Leonard Cheshire Disability and Oxfordshire County Council thought it important that the process be easy to access, transparent and efficient. The Citizens Advice Bureau (CAB) also wanted a process that was accessible and at no cost to the client, that advisers are able to help clients who are daunted by the process, and that the provision of the appeal to Secretary of State or the LGO, remains. However the CAB commented "We note that the Department for Transport

has recommended that local authorities in England establish an internal appeals procedure and that every applicant who is refused a badge should be given a detailed written explanation of the grounds for refusal. However, our evidence from bureaux indicates that this is not working well in many areas."

- 79.** A few respondents expressed concern over the potential increase in cost to local authorities. Reading Borough Council said, "We welcome this change; however, question the additional pressure on local authorities and the additional funds required to administer this."
- 80.** The LGO themselves responded saying, "Based on our experience of considering these complaints, we support the thrust of the Consultation Document ... and to the appeal arrangements ... Our initial view is that it is right, in principle, that members of the public in these circumstances have similar recourse to a review and appeals procedure involving the local authority and then the LGO. I should stress that the LGOs would be limited to looking at whether there was administrative fault, causing injustice to the complaint, on the part of the local authority in withdrawing the Badge and, if there was, to make appropriate recommendations. We would not be able to 'second guess' the local authority's decision in the particular case, but we would be able for example to recommend that the decision is looked at again."

Question 11: What are your views on the suggestion that there should be more prescription from central Government on eligibility assessment? What suggestions do you have on how this should be implemented?

Summary of Responses

Table 13 - Summary of all Responses to Question 11		
For	90	84%
Against	17	16%

Table 14 - Summary of Local Government Responses to Question 11		
For	53	93%
Against	4	7%

Table 15 Summary of Representative Organisation Responses to Question 11		
For	20	87%
Against	3	13%

- 81.** There were 107 responses. There was strong support for greater prescription from central government on eligibility assessments amongst all groups. Support from local authorities (93% in favour) and from representative organisations (87% in favour) was particularly strong.
- 82.** Many respondents saw the need for clearer guidelines on eligibility and assessment procedures. Many, across all respondent types, were supportive of mandatory independent mobility assessments in order to eliminate the 'post code lottery'.
- 83.** A few responses suggested the need for a central agency to administer the scheme and issue badges, and a few mentioned that there should be closer working and more information sharing with the Department for Work and Pensions (DWP). A few respondents thought that the eight local authority Blue Badge Centre of Excellences could be used in some way to improve eligibility assessments nationally.
- 84.** Lancashire County Council thought that specialists could be used to build a standard decision matrix to be used by local authorities. The London Borough of Hammersmith and Fulham proposed that "There should be a specified method of assessment, including the questions that should be asked." Leeds City Council suggested that "DfT could approve a narrow range of processes for assessing eligibility that are tested and proven. Authorities must sign-up to one of these, further testing and proving. Outcomes and issues should be monitored and updating of processes agreed across board."
- 85.** London Councils summarised the responses of local authorities in London, "National framework guidance on the eligibility assessment to ensure a consistent approach; The criteria should be robust and succinct and not open to interpretation; Possibility of independent assessment centres being mandatory to reduce any potential impartiality in an assessment undertaken by GPs; Possibility of cross-authority assessment centres to help standardisation but also improve efficiency and effectiveness."
- 86.** The primary reasons given against greater prescription were that respondents found the current guidance to be sufficient or that they wanted to retain flexibility and discretion in Blue Badge assessments.

Question 12: What do you think would be the advantages and disadvantages, and potential costs and benefits, of the Secretary of State taking a new power to require local authorities to use any data-sharing system?

Summary of Responses

Table 16 Summary of Respondents to Question 12		
Business Groups	5	4%
Central Government	1	1%
Individuals	17	14%
Local Authorities	65	55%
Representative Organisations	17	14%
Other	13	11%

- 87.** There were 118 responses to this question. Out of the responses that suggested either only advantages or only disadvantages, 88% saw advantages in this proposal and 12% gave only disadvantages.
- 88.** Some expressed concerns about the costs of implementing the system, inputting the information, data protection issues, and potential duplication of data-input.
- 89.** There was the suggestion from some London Borough councils, and Partners in Parking that a regional database would be better. However, on the whole, it was clear that respondents thought that the system would have advantages.

Question 13: What suggestions do you have as to how we could allow certain non-residents to apply for a Blue Badge?

Summary of Responses:

- 90.** There were 109 responses to this question.
- 91.** In response to the matter of issuing badges to people serving in the Armed Forces abroad and their families, there were various ideas, summarised below.
- 92.** Some responses suggested the Armed Forces become an issuing authority or that badges be issued via their regiment, with medical assessments being carried out by an Armed Forces medical officer. Some respondents agreed with the suggestion that badges be issued to these people via their relatives'

local authority in the UK. A few respondents thought that the local authority of the last UK address of the applicant could be used to process the application. Some people considered that the local authority where the regiment is based in the UK could issue badges. One respondent thought a local authority, with their consent, could be established as the issuing authority for this group of people. One individual suggested that a British Forces Post Office address would be "sufficient" and that applicants could be medically assessed by the applicant's own hospital contact or physiotherapist.

- 93.** There was concern for those who have no parents or relatives in the UK. There was also concern around the potential for abuse and fraud with this option. However, respondents reasoned that a national database would be valuable in these cases.
- 94.** The Ministry of Defence (MoD) said that an internal consultation with interested parties had resulted in the following suggestions: To "Enable the UK Support Command (UKSC) to issue Blue Badges" or "put in place arrangements for eligible individuals to be able to apply for Blue Badges via an appropriate issuing organisation in England who are legally able to issue badges." They said, "This process needs to work both for those with expiring Blue Badge issued by a Local Authority in England (or its equivalent in the Devolved Administrations) that needs to be replaced, and for those who become eligible while already overseas."
- 95.** In the case of homeless applicants or applicants living on a house boat who are not registered as residential mooring boats, the CTA said "consideration should be given to using their Doctor or Social Services department's address."

Question 14: What are your views on organisational badges? What are your suggestions for how abuse might be prevented?

Summary of Responses:

Table 17 Summary of Respondents to Question 14		
Business Groups	2	2%
Individuals	15	13%
Local Authorities	65	56%
Representative Organisations	21	18%
Other	13	11%

- 96.** There were 116 responses to this question. Respondents were almost evenly split on whether they supported the existence of organisational badges.
- 97.** Those who were in favour of organisational badges thought they provide a vital benefit for some disabled people. Others could not understand the purpose of them as individuals themselves can apply for a Blue Badge. Leeds City Council pointed out that, "Parents / carers of individual holders report having been inconvenienced when the badge has not been returned to holder following an outing. Individual holders may not be assertive or responsible enough to ask for return of badge." In addition, "Misuse by staff member/s will be traced to holder, with [the] assertion that they are allowing the misuse – which can cause distress."
- 98.** Those who disliked the existence of organisational badges believed that they were more likely to be misused than those belonging to individuals.
- 99.** In response to how abuse might be prevented, many respondents suggested that organisational badges should be vehicle specific and that the registration number of the vehicle should be written on the badge. However, the CTA said "This means that the organisation has to request a badge for each vehicle operated instead of a badge that could be used in any of the organisation's vehicles. The stated advantage of issuing a badge per vehicle is that the badge can only be used in that particular vehicle which means employees are not able to use the badge in their own vehicles. The disadvantages would be the costs involved in issuing more badges as they are vehicle specific and cannot be interchangeable and organisations that use volunteer drivers with their own cars would have difficulty with vehicle specific badges. The CTA believes that the DfT should state that vehicle specific Blue Badges should not be issued."
- 100.** Many respondents believed that the badge should be easily identifiable as an organisational badge by, for example, its colour. A few respondents

suggested an advice booklet should be made available specifically for organisational badges.

- 101.** Some respondents suggested that authorities ask the manager from the organisation to sign a declaration stating that they understand, and will abide by, the rules of the Blue Badge scheme.
- 102.** Similarly, some respondents suggested that organisations should be required to nominate a representative from their organisation. They would be responsible for the care of the organisation's Blue Badges, including their use and security, and the training of the organisation's employees with regard to how to use the badges and the rules.
- 103.** Some respondents thought that the regulations on organisational badges need clarifying, for example, about the type of vehicle, the number of seats and the percentage of disabled passengers who are eligible for the scheme.
- 104.** Many respondents agreed that prosecution for organisations abusing the scheme should be equal to that of the prosecution for individuals. Many thought that this would help to combat abuse of organisational badges.
- 105.** London Councils summed up the majority of responses: "There needs to be a tightening of the criteria governing an application as this is geared to individual applications at the moment; ... A consistent approach to standardise how organisational badges are issued and assessed; Restrictions on the numbers of people using the badge with the badge issued to a single representative within that organisation; Possibility of the badge containing valid vehicle registration numbers; Possibility of validity timings being included on the badge if it is used for a specific purpose (i.e. school drop off and pick up); Clarification that organisational badges are subject to the same regulations as individual holders, with the ability to withdraw a badge for persistent misuse."

Question 15: Do you agree with the way in which we propose to extend eligibility to children between the age of 2 and 3 with specific medical conditions? Please provide information to support your decision.

Summary of Responses

Table 18 - Summary of Responses to Question 15		
Yes	123	96%
No	5	4%

Table 19 - Summary of Local Government Responses to Question 15		
Yes	69	93%
No	2	3%
Other	3	4%

- 106.** 141 respondents answered this question. There was strong and overwhelming support for extending eligibility to children between the age of 2 and 3 with specific medical conditions, with 96% of respondents supporting the extension. Many, including Mobilise and DPTAC, agreed that the gap in eligibility needs to be closed.
- 107.** Gloucestershire County Council who support the proposal said, "The rationale for extension is well argued and supports the promoting of independence." Wirral Borough Council called it, "a logical step" and Access in Dudley stated, "The age extension would have a positive impact on children with specific needs, making life easier for parents/carers, which would result in less stress and prevent discrimination."
- 108.** Speaking about the numbers involved in this change, the City of York Council said, "Annually the number of applications for children under 2 is minimal, therefore additional applications between 2-3 are expected to be small in number. Trafford Council commented, "Although this will affect relatively small numbers of applicants it will have a very positive beneficial outcome."
- 109.** Some of those against highlighted that, "The children are not drivers and could be carried or transported in prams, chairs, etc." Another stated, "As more people qualify under relaxed criteria the competition for Blue Badge spaces would intensify and could put those with a serious mobility problem for which the original scheme was intended at a greater disadvantage."
- 110.** To conclude, Nottinghamshire County Council summed up the flavour of the majority by stating, "This gap is not sensible; there is no reason why the needs of children aged between 2 & 3 with specific medical conditions should be any different from those of children aged 2 and below. This is not easy to explain to parents."

Question 16: Do you have any comments on these proposed transitional arrangements? Please provide information to support your decision.

Summary of Responses

Table 20 - Summary of Responses to Question 16		
In favour	46	78%
Not in favour	13	22%

- 111.** 92 respondents answered this question. There was strong support for the proposed transitional arrangements, with 78% of those with a clear position providing a positive response.
- 112.** Some respondents suggested that local authorities should contact the families of badge holders rather than the other way around. Cambridgeshire County Council said "The number of Badges currently issued to children under 2 within Cambridgeshire is 11, so the process of issuing badges for a short period during the transition is not seen as a great concern ... Therefore we are likely to adopt a proactive approach of contacting those who have Badges within this category." Leeds City Council suggested that these applicants could be 'fast-tracked'.
- 113.** Respondents were keen that information be disseminated and readily available. The CAB advocated "that organisations and health services that support families currently using the scheme are asked to alert their user groups to the changes." The organisation 'steps' agreed, "It is vital that this information is made easily available to families".
- 114.** Local authorities did not appear to show concern about issuing badges for a 'transitional stage'. City of York Council said, "There is already a precedent for issuing short term badges in relation to the term of HRMCDLA awards therefore administering short term badges is not an issue." However local authorities did express a wish for robust guidance on this transitional arrangement.
- 115.** Some respondents questioned whether a fee would apply to these families. For example, Wirral Borough Council said, "Parents may object to paying twice for badges to be issued within short time periods. Perhaps to support the families involved the fees could be waived if deemed appropriate."

Question 17: What are your views on this option? Please provide advantages and disadvantages with this approach.

Summary of Responses

Table 21 - Summary of Responses to Question 17		
Yes	95	84%
No	18	16%

Table 22 Summary of Local Government Responses to Question 17		
Yes	56	89%
No	7	11%

- 116.** 131 respondents answered this question, including 71 local authorities, 22 individuals and 21 representative organisations. There was strong support for extending eligibility to severely disabled Service Personnel and War Veterans, with 84% of respondents supporting the extension.
- 117.** East Staffordshire Borough Council said that, in support of this eligibility extension, "a simple tool for automatic entitlement without any further assessment [would] be a straightforward and worthwhile enhancement to the scheme." Islington Council asserted that, "We would support any proposal that seeks to make daily life easier for those who have become immobile through service to their country."
- 118.** There was also support from representative organisations such as the East Grinstead Access Group who highlighted, "There can be no argument that those injured in serving our country should have an automatic right to a blue badge if they have walking difficulties." Options for Independent Living Transport Group (Essex) said that it "Seems sensible to extend to armed forces personnel saving duplication of time and effort regarding application and assessment."
- 119.** There were however some organisations who voiced concern. The MS Society, Sittingbourne Branch stated, "They should be covered by current regulations". The Spinal Injuries Association said that the DfT "Must ensure that the eligibility criteria are brought in line with that of civilians as far as possible." For those representative organisations that were against this extension, the concern was that automatic continuous entitlement to service personnel and veterans could favour some disabled people and not others.
- 120.** Many others, who in principle agreed with this extension, were of the view that the criteria should be no different to 'civilians' with mobility impairments who are eligible for a Blue Badge. East Sussex County Council believed that it "must remain clearly in line with the current criteria already in place." Mobilise said that, "In principle the proposal sounds fine. Our only concern

would be ensuring the badges were only given to those who meet the criteria that civilians also have to meet. The scheme needs consistency and the rules must be the same for everybody."

Question 18: Do you think that funding should be distributed via RSG or via ABG? Why do you have that preference?

Summary of Responses

Table 23 - Summary of Responses to Question 18		
ABG	54	63%
RSG	32	37%

Table 24 - Summary of Local Authority Responses to Question 18 (who specified a preference)		
ABG	40	65%
RSG	22	35%

- 121.** There were 86 responses to this question, from which it was clear that some found the technical nature of the information provided in this section difficult to understand. A few respondents, however, thought that further technical and methodological details should have been provided.
- 122.** More respondents were in favour of distribution of funding through an Area Based Grant (ABG) (63%) than through Revenue Support Grant (RSG) (37%). Unsurprisingly, local authorities generally supported the distribution method which resulted in them receiving the most funding.
- 123.** Reasons given for preferences exposed a number of conflicting views. For example, in support of ABG, Lancashire County Council remarked that "EPCS Relative Needs Formula includes factors which have little or no bearing on the potential cost of eligibility assessments." On the other hand, The London Borough of Hammersmith and Fulham stated "we do not consider that it is appropriate that funding is distributed via ABG, because we do not believe that there is data available which adequately reflects the cost drivers of eligibility assessments."
- 124.** Of all those respondents who favoured ABG, reasons given included that it allows for targeted funding, better reflects need, is accurate, transparent, policy specific and recognises demographics and population. Several respondents suggested that ABG would be preferable as the total amount allocated would be transparent and the funding would be more likely to be directed at improving Blue Badge assessments than if it was distributed via RSG.

- 125. Of those who preferred RSG, reasons included, that this type of funding would be more consistent with other methods of funding local government; it includes deprivation weighting, demographic, Area Cost Adjustments and population density; and because it gives security and certainty.
- 126. Most London authorities supported the RSG distribution formula. Some London Boroughs believed that the RSG formula is more closely linked to the costs of commissioning occupational therapists to undertake the assessments.
- 127. Croydon Council suggested that "Including the funding in a newly created formula within ABG will incur additional monitoring and administration costs that would not occur if funded within RSG. In view of the relatively small amount of funds that are planned to be distributed, a new formula with all its associated administration costs is not justified."

Question 19: If DfT decides to allocate funds via ABG, do you agree that distribution of the funding based on the number of people aged over 65 and the number of people in receipt of HRMCDLA (according to the weighting above) would be appropriate?

Summary of Responses

Table 25 Summary of Responses to Question 19 (of those who gave a clear yes or no answer)		
Yes	55	57%
No	41	43%

- 128. There were 107 responses to this question. It was clear from some of the comments that a number of respondents did not fully understand the nature of the question.
- 129. Of those respondents who gave a clear answer, 55 (57%) agreed with the proposed funding distribution. Many of the remainder did not put forward alternative options.

Question 20: If not, what are the reasons that distribution based on these variables would be inappropriate, and what distribution would you deem to be preferable?

Summary of Responses:

- 130. 51 people responded to this question.
- 131. Some inner city local authorities asserted that a distribution based on these variables would not take account of parking demands in the area.

- 132.** Some London authorities said that the variables do not recognise the varying costs of assessments through Area Cost Adjustment, for example, the varying costs of commissioning medical assessors. Croydon Council stated that "The costs of Occupational Therapists will vary from region to region according to the local labour market rates for that type of work. This would be taken into account in the RSG model. If the ABG model is to be used, it should include an ACA element similar to the ACA used in the EPCS sub-block in the RSG."
- 133.** Others believed that assumptions of an ageing population creating demand does not account for some circumstances. Options for Independent Living Transport Group (Essex) said "both the suggested indicators are merely proxies for use and will not take into account local variations in circumstances – for instance, high number of over 65s but low blue badge up take – could result in over payment." South West Councils advocated taking the percentage of households where at least one person has a LLTI ('limiting long term illness'). They said "This is available from Census data and is widely used for other purposes too. 33% of households in the South West have someone with an LLTI."
- 134.** Some responses thought distribution should be determined by, or take account of, the number of badges issued in a local authority. However, others recognised that to do so would reward authorities with less robust assessment processes.

Question 21: What are your views on giving greater weighting to authorities with high population sparsity? Can you provide any research or evidence of different unit costs to support your views?

Summary of Responses

- 135.** There were 87 responses to this question, with a fairly even split between those in support of the weighting (35) and those against (31).
- 136.** As expected, many of those in favour of the weighting were county councils and those against were largely London Borough and city councils. Some of those in favour of the weighting noted that assessment costs would be higher where more assessments were taking place in the home. Others, however, noted that assessment costs would also be influenced by higher salary and running costs in urban areas.
- 137.** South West Councils provided evidence which said, "The South West has the highest proportion of people living in a rural area compared with the other English regions. This has cost implications in terms of assessments and also leaves residents with fewer alternative public transport options." Similarly, Somerset County Council said, "If assessment costs are higher for service users who need to be assessed at home this should be factored in to

the allocation of the grant ... for a large majority of our residents they live beyond easy access to services." Devon County Council said, "...increased cost in employee time and vehicle costs should justify a greater weighting for high population sparsity authorities such as Devon."

- 138. From the opposing perspective, the London Borough of Hackney said, "The more densely populated boroughs typically have a higher demand for parking and their local authorities typically have to make the greatest changes to meet Blue Badge holders' parking needs and combat misuse Giving priority to rural boroughs would not address holders' needs." The Society of London Treasurers, and the London Boroughs of Lewisham and Lambeth said that, "Area cost adjustment is likely to be a more significant factor."
- 139. The City of York council noted that "The problem is that every authority could argue for specific beneficial criteria and there are so many potential regional variations that to single out one criterion seems unfairly biased".

Question 22: If you think that higher weighting should be given to authorities with high population sparsity, do you agree that a weighting based on population sparsity as used in the CLG relative needs formula would be appropriate, i.e.:

HRMCDLA + population over 65 X (1+2001 population sparsity)

Summary of Responses

Table 26 - Summary of Responses to Question 22 (of those who gave a clear yes or no answer)		
Yes	28	62%
No	17	38%

- 140. There were 45 clear responses to this question. Of those who gave a clear response, 17 (38%) said no and 28 (62%) said yes.

Question 23: Do you have a view on whether there should be any payment "floors" or "ceilings"?

Summary of Responses

- 141. There were 72 responses to question 23. More were in favour of 'floors' and 'ceilings' than not - 42 (70%) respondents clearly supported them, and 18 (30%) did not.

142. Three respondents supported use of a funding 'floor' but not to a payment 'ceiling'. Two of these responses, from local authorities, cited demographic change or fluctuation, as an argument against having payment 'ceilings'.
143. Of those who were in support of payment 'floors' and 'ceilings', the London Borough of Tower Hamlets said, "This would seem to be a prudent measure to prevent too great a disparity between payments to different local authorities." Coventry City Council stated, "The floor should ensure sufficient funds to provide an effective assessment system and a ceiling should ensure the efficient use of funding."
144. Of those who did not support 'floors' or 'ceilings', Lancashire County Council said, "If the proposed funding distribution provides a reasonable correlation with the number of badges issued then there should be no need for the application of ceilings and floors." Leeds City Council stated "We believe that the main driver of cost is the number of blue badges issued, which is closely correlated with the number of people receiving HRMCDLA and the population over 65 as combined in the distribution formula discussed earlier ... the system of floors and ceilings is not appropriate because it would tend to over compensate authorities with low numbers of blue badge applicants at the expense of authorities with higher than average numbers."

Question 24: If so, is this view based on any cost-based research or evidence that would help in determining appropriate levels?

Summary of Responses

145. No responses included cost-based research or evidence which would help to determine appropriate levels.

ANNEX A - RESPONDENTS

Businesses	
Bilcare Technologies	NSL Services Group
Blue Badge Fraud Investigation Ltd	OpTions Occupational Therapy Services
Cobalt Telephone Technologies	The Automobile Association

Central Government
Ministry of Defence

Local Government	
Adults, Children and Education, City of York Council	Coventry City Council
Association of Directors of Adult Social Services	Croydon Council
Bassetlaw District Council	Darlington Borough Council
Bath and North East Somerset Council	Devon County Council
Bedford Borough Council	Durham County Council
Birmingham City Council	Ealing Council
Blue Badge Centre of Excellence team, Southampton City Council	East Herts District Council
Brighton and Hove City Council	East Staffordshire Borough Council
Buckinghamshire County Council	East Sussex County Council
Cambridge City Council	Fareham Borough Council
Cambridgeshire County Council	Gateshead Council
Commission for Local Administration in England (Ombudsman)	Gloucestershire County Council
Cornwall Council	Greenwich Council
Corporate Resources Department, Leicestershire County Council	Hampshire County Council

Herefordshire Council	North Yorkshire County Council
Hertfordshire County Council	Nottinghamshire County Council
Highways and Parking, Southampton City Council	Oxfordshire County Council
Kent County Council	Parking Enforcement, City of York Council
Kirklees Council	Parking Solutions Group, Middlesbrough Council
Lancashire County Council	Pendle Borough Council
Lancaster City Council	Portsmouth City Council
Leeds City Council	Rother District Council
Leicestershire County Council	Royal Borough of Kensington and Chelsea
London Borough of Bexley	Royal Borough of Windsor and Maidenhead
London Borough of Camden	Sandwell Metropolitan Borough Council
London Borough of Enfield	Sedgemoor District Council
London Borough of Hackney	Sefton Council
London Borough of Hammersmith and Fulham	Shropshire Council
London Borough of Havering	Society of County Treasurers
London Borough of Hillingdon	Somerset County Council
London Borough of Islington	South Holland District Council
London Borough of Lambeth	South Norfolk Council
London Borough of Lewisham	St Albans City and District Council
London Borough of Redbridge	St Edmundsbury Borough Council
London Borough of Wandsworth	Staffordshire County Council
London Councils	Stockton Borough Council
Manchester City Council	Stoke-on-Trent City Council
Milton Keynes Council	Surrey County Council
Newcastle City Council	Tending District Council
North Hertfordshire District Council	Test Valley Borough Council

Thanet District Council
The Royal Borough of Kingston Upon Thames
Tonbridge and Malling Borough Council
Tower Hamlets Council
Trafford Council
Transport Strategy, Reading Borough Council
Warwickshire County Council
Waveney District Council
West Berkshire Council
West Sussex County Council
Westminster City Council
Wiltshire Council
Winchester City Council
Wirral Borough Council
Worcestershire Hub Shared Service
Worthing Borough Council

Other	
Access Association	Information Commissioner's Office
Audit Commission	Mobility & Access Committee for Scotland
Bury Council and partners	Partners in Parking
Citizens Advice	South West Councils
Department for Regional Development Northern Ireland	

Representative Organisations	
Access in Dudley	Multiple Sclerosis Society, Sittingbourne Branch
Arthritis Care	National Council on Inland Transport
British Medical Association	Options for Independent Living Transport Group (Essex)
British Parking Association	Papworth Trust
Carers Together	Redbridge Local Involvement Network
Chichester Access Group	Ripon and District Disability Action Group
College of Occupational Therapists	Royal National Institute of Blind People
Community Transport Association	Senior Council for Devon - Bideford and District
Disability Network South, Northamptonshire	Shopmobility, Jersey
Disability Voice Bromley	Society of London Treasurers
Disabled Person's Transport Advisory Committee	Spinal Injuries Association
East Grinstead Access Group	Steps
Empowerment Board Chairs, Surrey	The Association of Occupational Health Nurse Practitioners (UK)
Getting Involved Inclusion Group, Advocacy Alliance	The Blue Badge Network
Joint Committee on Mobility for Disabled People	The Community Voice
Leonard Cheshire Disability	The Guide Dogs for the Blind Association
Mencap	The National Association of Laryngectomee Clubs
Mobilise	