



Department  
for Transport

## Consultation Report

# **Personal Independence Payment and eligibility for a Blue Badge**

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# 1. EXECUTIVE SUMMARY

- 1.1** The Government has recently announced important reforms to the welfare system. Personal Independence Payment (PIP) will be introduced for people who are aged 16 to 64 on or after 8 April 2013. The new benefit will be introduced for new claims in a limited geographic area (in the North West and part of the North East of England) from April 2013, before new claims to PIP are taken in all remaining areas of GB from June 2013. The DWP has published a final implementation timetable; this sets out that the reassessment of DLA recipients will be undertaken on a significantly slower timetable with the peak period of reassessments starting from October 2015. More information about PIP, including the implementation timetable, is available on the DWP website at: <http://dwp.gov.uk/policy/disability/personal-independence-payment/> .
- 1.2** As around a third of all Blue Badges are currently issued to people who receive the higher rate of the mobility component of Disability Living Allowance, the Department for Transport (DfT) consulted on the options, in England, for dealing with the impact of the welfare changes between July and October 2012.
- 1.3** The Government remains committed to ensuring that the Blue Badge scheme continues to be focused on those people who will benefit most from the parking concessions that it offers, and that it is sustainable in the future.
- 1.4** Therefore, having carefully considered the responses to the consultation, Ministers have decided that, when DLA is replaced by PIP, there should still be a legislative link that means those people who score 8 points or more in the 'Moving Around' activity of PIP will be automatically eligible for a Blue Badge. This activity assesses a person's physical ability to get around and a score of 8 points or more will be awarded to people who are either unable to walk or who cannot walk further than approximately 50 metres. This means that eligibility for a Blue Badge will continue to be as similar to the current eligibility criteria for the scheme as possible.
- 1.5** There were many responses to the consultation that requested eligibility for Blue Badge scheme be widened to include, for example, people with cognitive or mental impairments, conditions such as autism and to allow carers to have badges. Ministers have decided that it is not possible to extend the scheme, given the costs that would be involved and the impact on existing badge holders.
- 1.6** The relevant legislation will be changed early in 2013. Any consequential changes to the Blue Badge scheme will be phased in, in line with the welfare changes. They will affect existing badge holders when a current badge expires and they need to apply for a new one. If an individual does not automatically qualify for a badge by virtue of a PIP award, they will be able to apply directly to their local authority under

the 'with further assessment' criteria, the main one of which is for those who are unable to walk or have very serious difficulty in walking.

- 1.7** These changes will not affect people under the age of 16 or aged 65 or over on 8 April 2013, those who continue to receive the higher rate of the mobility component of the Disability Living Allowance or those who are eligible for a badge under the remaining criteria, for example, those who are registered blind.

## 2. INTRODUCTION

- 2.1** On 9 July 2012, the DfT launched a consultation on 'Personal Independence Payment and eligibility for a Blue Badge', which ran for the period 10 July 2012 to 2 October 2012.
- 2.2** Disability Living Allowance (DLA) is being reformed to create a new benefit called Personal Independence Payment (PIP). This will be introduced for people aged between 16 and 64 on or after 8 April 2013. The Department for Work and Pensions (DWP) is responsible for the development and implementation of these reforms and has recently announced the changes that will be implemented.
- 2.3** The implementation of PIP will affect eligibility for a disabled person's parking permit, or Blue Badge, the legislation for which the Department for Transport (DfT) has responsibility. The DfT's consultation sought views from disabled people, their representative groups and the local authorities who administer and enforce the Blue Badge scheme on options for dealing with the changes to DLA.
- 2.4** The consultation identified three main options for responding to the implementation of PIP, and additionally sought ideas and suggestions for other practical solutions that would be affordable, and would help to support the future sustainability and operation of the Blue Badge scheme. The three main options were:
- Option 1 – no legislative link between eligibility for a Blue Badge and eligibility to PIP
  - Option 2 – establishing a legislative link between Blue Badge eligibility and the enhanced mobility component of PIP
  - Option 3 – establishing a legislative link between Blue Badge eligibility and those who score 8 points or more within the 'Moving Around' activity within PIP. This assesses a person's physical ability to get around.
- 2.5** All the above options would affect eligibility for a Blue Badge as PIP will start taking claims for new claimants from April 2013, and begin to replace DLA for existing recipients, aged between 16-64, from October 2013 onwards. At present, about 36% of Blue Badges are issued to people in receipt of the higher rate of the mobility component of DLA (HRMCDLA). Eligibility for PIP is also being assessed on a different basis to DLA. None of the options, therefore, replicated the existing eligibility criteria for a Blue Badge as this was not possible.
- 2.6** The consultation covered England only as the Blue Badge Scheme is a devolved matter.

**2.7** The consultation document was published on the DfT's website and sent electronically to stakeholders from local authorities, other government departments, private companies, and representative organisations.

**2.8** In total, 185 responses were received.

**2.9** 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 DfT has noted. The responses can be broken down as follows:

<b>Table 1 - Breakdown of Responses</b>	
Disability Groups	46
Local Authorities	29
Other Interest Groups / Public Sector	14
Individuals / Members of the Public	96
<b>TOTAL</b>	<b>185</b>

**2.10** The National Autistic Society (NAS) initiated a campaign to encourage their members, via Facebook, to respond to the consultation. 736 responses were received in response to this campaign. However, the vast majority of responses did not attempt to answer any of the questions in the consultation. Instead they have highlighted the problems encountered by parents and carers of those with autism, and other similar conditions, who feel excluded by both the changes to PIP and the options being put forward by the DfT. This is because, in many cases, this group can walk more than 50 metres but, because of their condition, cannot do so safely.

**2.11** The DfT would like to thank those who responded to the consultation. The responses were used to develop the reform programme and inform the decisions that were announced on the same date this report was published.

## 3. CONSULTATION QUESTIONS

**3.1** The consultation document [include reference to where it can be found on the website] included a series of questions about the options that had been identified. These are summarised below.

No.	Table of Questions
Q1	What do you think should be the eligibility criteria for a Blue Badge?
Q1a	Do you think the Blue Badge scheme should be available for people with a mental health condition, intellectual or cognitive impairment but who are able to walk? Please explain your reason.
Q1b	Do you think the Blue Badge scheme should be targeted at people who are unable to walk or have very considerable difficulty walking? Please explain your reason.
Q1c	Do you think that there should be both automatic eligibility criteria and criteria that require further assessment and consideration? Or do you think that all applicants should be assessed on the same basis?
Q2	What are your views on Option 1 – no legislative link between Blue Badge eligibility and PIP?
Q2a	Do you think that everyone between the ages of 16 and 64 should apply directly for a badge to a local authority under the ‘with further assessment’ criteria? Please explain your reason.
Q2b	If this option is taken forward, who do you think will be affected in that they will no longer be automatically eligible for a badge? Do you think that they would be eligible under the ‘with further assessment’ criteria?
Q2c	How many people do you think will be affected by this option in terms of their eligibility?
Q2d	Do you think this option should be extended to people under 16 and over 65 years of age so that they too would apply under the ‘with further assessment’ criteria? Please explain your reason.

Q3	What are your views on Option 2 – establishing a legislative link between Blue Badge eligibility and the enhanced mobility component of PIP?
Q3a	Do you think that everyone who receives the enhanced mobility component of PIP should be automatically eligible for a Blue Badge? Please explain your reason.
Q3b	If this option is taken forward, who do you think will be affected in that they will become automatically eligible for a badge?
Q3c	How many people do you think will be affected by this option in terms of their eligibility?
Q3d	How do you think this option will affect existing badge holders, local authorities and the future sustainability of the Blue Badge scheme?
Q3e	How do you think this option would affect access to other linked benefits, e.g. preferential parking provision in off-street car parks, concessionary travel scheme and the London congestion charge?
Q4	What are your views on Option 3 – establishing a legislative link between Blue Badge eligibility and a score of 8 or more under the 'Moving Around' activity within PIP?
Q4a	Do you think that everyone who scores 8 or more under Activity 11 – Moving Around – within PIP should be automatically eligible for a Blue Badge? Please explain your reason.
Q4b	If this option is taken forward, who do you think will be affected in that they will no longer be automatically eligible for a badge? Do you think that they would be eligible under the 'with further assessment' criteria?
Q4c	How many people do you think will be affected by this option?
Q5	Are there any other practical and sustainable solutions that should be considered?
Q5a	What would be the impacts and effects of these options on eligibility, impacts on existing badge holders, local authority costs and the operation of the Blue Badge scheme?
Q6a	What is your view of the potential costs and benefits of the options that are summarised in Annex A?
Q6b	What is your view of the assumptions used to estimate these costs and benefits?
Q6c	Do you have any relevant data or information to send to the DfT to help with the analysis of options?



# 4. SUMMARY OF RESPONSES

## Question 1

### Q1. What do you think should be the eligibility criteria for a Blue Badge?

**4.1** Many general responses were received under this heading as well as direct responses to questions 1a, 1b and 1c. For example, a physical health Disabled Group stated: -

"The blue badge scheme should be primarily targeted at those who are unable to walk. Blue badges are designed to make the lives of disabled people easier, and enable those people entitled to them to access places they would not otherwise be able to. However, the definition of 'very considerable difficulty walking' must be carefully considered. Those with cystic fibrosis may appear healthy on the outside, but in reality many will have tremendous difficulty breathing, regular and exhausting coughing fits which may require inhaler or oxygen treatment; crashing tiredness due to the burden the disease puts on the body; as well as added complications such as CF related arthropathy and possible osteoporosis. It is not always as clear cut as being unable to put one foot in front of another."

This sentiment was raised by many different groups, with different medical conditions, highlighting that there are many reasons why disabled people who might outwardly look as if they can walk, may have difficulties in doing so for both physical and safety reasons.

Several responses were received that recommended that additional criteria should be applied for people who are unable to plan and follow a journey.

An example of this is from a mental health Disability Group who responded: "We welcome a legislative link between PIP and eligibility for a Blue Badge. However, in addition to a physical disability, we recommend that an individual's ability to plan and follow a journey should also serve as suitable criteria for a Blue Badge, in order to equally reflect the effect of both mental and physical health problems on a person's mobility."

## Question 1a

<b>Q1a. Do you think the Blue Badge scheme should be available for people with a mental health condition, intellectual or cognitive impairment but who are able to walk? Please explain your reason.</b>			
<b>Category</b>	<b>Responses</b>	<b>Yes</b>	<b>No</b>
<b>Disability Groups</b>	<b>36 (39%)</b>	<b>29 (80%)</b>	<b>7 (20%)</b>
<b>Local Authorities</b>	<b>26 (28%)</b>	<b>8 (31%)</b>	<b>18 (69%)</b>
<b>Other Interest Groups</b>	<b>4 (4%)</b>	<b>2 (50%)</b>	<b>2 (50%)</b>
<b>Public Sector</b>	<b>3 (3%)</b>	<b>3 (100%)</b>	<b>0 (0%)</b>
<b>Individuals / Members of the Public</b>	<b>24 (26%)</b>	<b>17 (70%)</b>	<b>7 (30%)</b>
<b>Total</b>	<b>93</b>	<b>59 (63%)</b>	<b>37 (37%)</b>

**4.2** There is a difference of opinion in the responses received for this question. The majority of Local Authorities (69%) thought that the scheme should not be available to people with a mental health condition, intellectual or cognitive impairment but who are able to walk. This differs from the responses received from most other categories (e.g. Disability Groups) where the majority of responses (80%) indicated that the scheme should be available to this group of people.

One Local Authority stated: "Blue badges were originally intended for people with visual impairments and mobility restrictions. To extend this to mental health conditions would significantly reduce the availability of disabled parking facilities. In addition the Freedom Pass scheme already exists to assist this group of individuals."

One mental health Disability Group strongly believes that "the Blue Badge scheme should be available for people with an intellectual or cognitive impairment, therefore including people with a learning disability. Blue badge eligibility should not be based only on someone's physical ability to walk, as mobility can also be impacted by someone's mental health condition, intellectual or cognitive impairment. There are some people with a learning disability who are able to walk but whose condition means that their mobility can be impaired. Some might experience extreme anxiety and stress when travelling somewhere new or may find it difficult to cope in busy environments."

One individual stated: "I think blue badge eligibility should be given to people who cannot manage to get from their car to where they are going easily or safely, in comparison to appropriate peers, without significant extra support being needed. It should not matter whether this is a physical, mental or cognitive disability. "

## Question 1b

**Q1b. Do you think the Blue Badge scheme should be targeted at people who are unable to walk or have very considerable difficulty walking? Please explain your reason.**

Category	Responses	Yes	No
Disability Groups	36 (41%)	23 (64%)	13 (36%)
Local Authorities	25 (26%)	25 (100%)	0 (0%)
Other Interest Groups	4 (6%)	4 (100%)	0 (0%)
Public Sector	3 (1%)	3 (100%)	0 (0%)
Individuals / Members of the Public	25 (26%)	20 (80%)	5 (20%)
<b>Total</b>	<b>93</b>	<b>75 (80%)</b>	<b>18 (20%)</b>

**4.3** Practically all local authorities thought that the scheme should be targeted at people who are unable to walk or have very considerable difficulty walking. Whereas in other groups only 73% agreed with this statement.

One Local Authority expressed the view: "Designated parking is limited. People who are unable to walk or have very considerable difficulty in walking would suffer if they had to walk further than was comfortable. People with a mental health condition or cognitive impairment would not necessarily suffer the same physical discomfort accessing services/amenities."

Whereas a mental health Disability Group stated "Blue Badges should be available to all of those whose disability, or health condition, means that they need greater flexibility about where they may park in order to be able to access facilities safely and reliably. Whilst those who are unable to walk or have very considerable difficulty in walking should be eligible, so, too, should those who need flexibility about parking for other reasons."

A Public Sector Group stated: "The Blue Badge should continue to be available to, but not limited to, people who are physically unable to walk, or have very considerable difficulty walking. The needs of people with fluctuating conditions, such as Multiple Sclerosis, COPD and arthritis should particularly be accounted for. We believe that there should be both expanded automatic eligibility criteria and guidelines for further assessment, to allow for the exercise of discretion in cases where people do not fit exactly within the regulations for the Blue Badge scheme."

## Question 1c

<b>Q1c. Do you think that there should be both automatic eligibility criteria and criteria that require further assessment and consideration? Or do you think that all applicants should be assessed on the same basis?</b>			
<b>Category</b>	<b>Responses</b>	<b>Yes</b>	<b>No</b>
<b>Disability Groups</b>	<b>38 (40%)</b>	<b>36 (95%)</b>	<b>1 (5%)</b>
<b>Local Authorities</b>	<b>25 (27%)</b>	<b>24 (96%)</b>	<b>0 (4%)</b>
<b>Other Interest Groups</b>	<b>4 (4%)</b>	<b>4 (100%)</b>	<b>0 (0%)</b>
<b>Public Sector</b>	<b>2 (2%)</b>	<b>2 (100%)</b>	<b>0 (0%)</b>
<b>Individuals / Members of the Public</b>	<b>25 (27%)</b>	<b>20 (80%)</b>	<b>3 (20%)</b>
<b>Total</b>	<b>94</b>	<b>66 (91%)</b>	<b>4 (9%)</b>

- 4.4** Over 90% of responses that answered this question agreed that there should be both automatic eligibility criteria and criteria that require further assessment and consideration. Less than 10% of responses thought that all applicants should be assessed on the same basis. Some examples of the responses received are listed below:-

Disability Group: "Creating a link between Personal Independence Payment (PIP) and eligibility for a Blue Badge is important so that the number of assessments is minimised so as to save local authority's resources and to minimise stress of multiple assessments for disabled people. This link should take account of both the ability to plan and follow a journey and the ability to move around. Our preferred option, therefore, is for people to have automatic eligibility for a Blue Badge both if they are awarded either the enhanced rate of the mobility component of PIP or a score of 8 or more on the moving around activity."

Local Authority: "Automatic eligibility saves on assessment costs, IMA charges, and a person who received PIP would not need to go for 2 assessments."

Individual: "Yes because it makes economic sense to automatically renew or issue blue badges to people whose condition means that they will always need a blue badge."

Public Sector: "We believe there should be automatic eligibility criteria for those who have distinct and on-going needs, with additional provision for those who have short-term temporary mobility support needs, as in the case of medical treatment."

## Question 2

**Q2. What are your views on Option 1 – no legislative link between Blue Badge eligibility and PIP?**

### Question 2a

**Q2a. Do you think that everyone between the ages of 16 and 64 should apply directly for a badge to a local authority under the ‘with further assessment’ criteria? Please explain your reason.**

Category	Responses	Yes	No
Disability Groups	31 (31%)	3 (9%)	28 (91%)
Local Authorities	26 (26%)	2 (8%)	24 (92%)
Other Interest Groups	5 (5%)	2 (40%)	3 (60%)
Public Sector	5 (5%)	1 (20%)	4 (80%)
Individuals / Members of the Public	32 (33%)	17 (53%)	15 (47%)
<b>Total</b>	<b>99</b>	<b>25 (25%)</b>	<b>74 (75%)</b>

**4.5** Local Authorities (92%) and Disability Groups (91%) were almost unanimously against this option, whereas individuals and other Interest groups were more evenly split on whether this would be a good solution.

A mental health Disability Group stated "Some people should have automatic eligibility. However, we accept that it is still important to have an option for eligibility under further assessment to enable those who are not automatically eligible to still have a chance of receiving this valuable concession. In saying that, we would still maintain the concerns outlined previously about the shortcomings of the assessment process and how this can serve to discriminate against those with hidden disabilities, including people with a learning disability."

One Local Authority stated: "A threshold should be agreed, so that when people apply for PIP, if they meet this threshold they should also qualify for a badge and should not have to apply to the council under the ‘with further assessment’ criteria i.e. eligibility should be automatic. Requiring everyone to apply under the ‘with further assessment’ criteria would be inefficient and would require additional resources to be provided by the Council to deal with the increased volume of applications, renewals and assessments. This would also mean that an applicant’s mobility would be assessed more than once under similar criteria."

### Question 2b

**Q2b. If this option is taken forward, who do you think will be affected in that they will no longer be automatically eligible for a badge? Do you think that they would be eligible under the 'with further assessment' criteria?**

**4.6** Approx 80 responses were received for this question. Key responses received included:-

"As the consultation acknowledges, if option 1 was taken forward everyone between the ages of 16 and 64 would need to apply directly to a local authority for a badge under the "with further assessment" criteria. Given that the "with further assessment" approach does not tend to take into account the non-physical mobility needs of people with a learning disability, this would therefore have a potentially negative impact on the 57,800 people with a learning disability who are in receipt of HRMCDLA and therefore eligible for a Blue Badge. There are currently strict criteria for people with a learning disability receiving HRMCDLA. These people should absolutely continue to receive Blue Badge entitlement under the new system."

"This option would exclude anyone with a severe mobility problem caused by a condition other than those currently listed in eligibility criteria. This would include those who receive HRMC/DLA at the moment because they have a learning disability or mental health issue, who may not qualify if they had to apply through the assessed criteria."

"This is difficult to answer with any certainty. If the 'with further assessment' criteria encompassed the current automatic eligibility criteria and the current further assessment criteria then in theory people who are currently eligible would continue to be so, except for those people with temporary mobility issues. However as further assessment criteria are governed by guidance interpreted by Local Authorities there may be variations across the country; and of course a significant increase in stress on applicants."

"PIP as with HRMCDLA, allows some people with temporary illnesses and disabilities to qualify for a badge. With no legislative link this removes the option for people who will benefit from having a badge over a shorter period than three years. They will not qualify under the with 'further assessment' criteria as it currently stands. It could lead to re-assessment under both PIP and blue badge thereby increasing costs for Central Government in terms of re-assessment. It would mean some disabled people aged between 16 and 64 will be assessed for both PIP and a blue badge and this could be seen as a gross waste of public money at both a National and local level."

## Question 2c

**Q2c. How many people do you think will be affected by this option in terms of their eligibility?**

**4.7** Approx 40 responses were received to this question although many were unable to quantify of the numbers of people who may be affected. A selection of some of the points raised are:-

"In Hammersmith and Fulham 54 % of new applications for blue badges are under the automatic criteria."

"According to Government figures, the number affected would be 36% of 2.55 million Blue Badge holders."

"Based on Department of Health statistics and studies of prevalence of challenging behaviour (Emerson et al, 2001), we estimate there are 30,000 families caring for individuals with severe learning disabilities and challenging behaviour in England. A large percentage of these individuals would lose their eligibility to a blue badge if this option was taken forward."

"Approx ¼ of our current HMBCDLA applicants to date (333) have fixed term eligibility for this benefit award."

"Around 21% of applicants would need to be assessed where in the past they may have been given a badge automatically. There will be a proportion of those that would probably/possibly not be successful with our updated DA and IMA process."

"37% of all successful applicants are awarded badges through HRMCDLA "

"45% of blue badge awards in 2011 went to customers who automatically qualified. It is difficult to determine how many of these would no longer qualify under this option as we do not keep figures but a reasonable estimate could be around 5% of our badge holders. What is clear is that the introduction of IMAs has impacted differentially on the number of successful badge applications."

## Question 2d

**Q2d. Do you think this option should be extended to people under 16 and over 65 years of age so that they too would apply under the 'with further assessment' criteria? Please explain your reason.**

**4.8** Whilst the majority of responses received were against Option 1 in general, 30% of the 75 responses to this question thought that, if this option was chosen, then it



should be extended to all age groups. However, 45% stated that it should not be extended to other age groups. The remaining 25% commented on the question but did not state a preference. The following is a selection of the responses received:-

"We do not agree with the proposals under this option. We believe people under 16 and over 65 should still be eligible on an automatic basis if applicable, or be able to apply under the 'with further assessment' criteria if necessary."

"No - special circumstances apply to the under 16s and the over 65 categories as under the current DLA, which we believe should stay unaltered."

"For the time being people who are under 16 and over 65 will not be included in the PIP so the Blue Badge criteria for this age group should remain the same as it is now. The Local Authority already assesses people applying for a Blue Badge who fall into in this age group."

"No. We believe the current system works, and should be continued so that those under 16, and over 65, who are in receipt of DLA high level mobility will still automatically be eligible for a blue badge. Again this would mean that people would not have to go through 2 assessments and also alleviate the additional workload, and therefore costs to the LAs. This assessment has to be done for DLA and PIP anyway. Those who are not in receipt of DLA, will of course have to go through the 'with further assessment' criteria and be independently assessed by the LAs, as they are at present."

"Yes as this would ensure fairness across the board – specifically regarding the situation where people have a mental health condition but they do not have mobility issues."

"Yes, this would provide an equitable service for all irrespective of them receiving HRMDLA or PIP so giving a fair distribution of Blue Badges to all who are eligible due to inability or severe difficulties in walking and has a long-term disability."

## Question 3

**Q3. What are your views on Option 2 – establishing a legislative link between Blue Badge eligibility and the enhanced mobility component of PIP?**

## Question 3a

**Q3a. Do you think that everyone who receives the enhanced mobility component of PIP should be automatically eligible for a Blue Badge? Please explain your reason.**

Category	Responses	Yes	No
Disability Groups	35 (36%)	23 (66%)	12 (34%)
Local Authorities	27 (27%)	4 (15%)	23 (85%)



<b>Other Interest Groups</b>	<b>5 (5%)</b>	<b>3 (60%)</b>	<b>2 (40%)</b>
<b>Public Sector</b>	<b>5 (5%)</b>	<b>3 (60%)</b>	<b>2 (40%)</b>
<b>Individuals / Members of the Public</b>	<b>27 (27%)</b>	<b>11 (40%)</b>	<b>16 (60%)</b>
<b>Total</b>	<b>99</b>	<b>44 (44%)</b>	<b>55 (56%)</b>

**4.9** This option was disliked by 85% of the Local Authorities as they felt it would lead to more Blue Badges being issued, which in turn would make the existing number of disabled spaces less available to those who need the spaces the most. Disability groups, Other Interest / Public Sector groups and Individuals were more in favour of this option but not to any significant degree. (55% were in favour, 45% against).

One physical health Disability Group stated that they "can see there are some potential benefits to the approach of Option 2 – establishing a legislative link between blue badge eligibility and the enhanced mobility component of PIP. Firstly, it would mean that there would still be two routes to accessing the blue badge – via local authority assessment and as a result of qualifying for the enhanced rate of PIP. This option would also result in a wider group of people accessing the blue badge than do so at present. This is because people will be able to qualify for the enhanced rate mobility component of PIP with only a mental health condition, intellectual or cognitive impairment; or only a physical impairment, or a combination of both."

## Question 3b

**Q3b. If this option is taken forward, who do you think will be affected in that they will become automatically eligible for a badge?**

**4.10** There were 73 responses to this question. Several Local Authorities have shown their concern that more people will be eligible for a badge through automatic eligibility even though they may not meet the criteria set out in the 'further assessment' route. Whereas mental health Disabled Groups are generally in favour of more people becoming eligible for a badge. Examples of responses include:-

"Many people would be automatically eligible for a blue badge. This would include people that can walk and suffer no pain or physical difficulty in walking."

"Customers with no mobility problems but with mental health issues will end up in

receipt of a badge. So existing badge holders with mobility issues would find it more difficult to locate disabled parking bays due to increased numbers of BB holders."

"We believe that if this option is adopted, there will be some people who would automatically qualify for a Blue Badge who perhaps do not meet the eligibility criteria under the current criteria. We believe that it is important that people with mental health and other impairments which affect their access needs can obtain a Blue Badge if required, but should be assessed on an individual basis."

"People would become eligible for a Blue Badge if they meet the criteria for the enhanced rate of the mobility component of PIP but do not meet the criteria for the higher rate mobility component of DLA. This would include the following groups of people:-

- People who need supervision or prompting to undertake journeys to a familiar destination. This may include, for example, blind or deafblind people who do not meet the strict criteria for higher rate mobility DLA but have substantial difficulties with planning and following a journey.
  - People who have some difficulty with both planning and following a journey and with moving around but who do not currently meet the criteria for the higher rate mobility component of DLA. This would include, for example, deafblind people with a physical impairment but who do not meet the strict definition of deafblindness or of being unable or virtually unable to walk required for DLA. A combined impairment can lead to greater and different difficulties with mobility than are experienced by a person with just one of the impairments.
- We would support these people becoming eligible for a Blue Badge."

## Question 3c

**Q3c. How many people do you think will be affected by this option in terms of their eligibility?**

**4.11** Very few responses were received in relation to this question, as there are few reliable data sources in this information. Samples of responses are listed below:-

"In relation to blind and partially sighted people the numbers involved are relatively small in comparison to the 2.55 million current Blue Badge holders. There are currently approximately 35,570 people aged 16 to 64 registered as blind or severely sight impaired in England who would have automatic eligibility for a blue badge. There are approximately 32,670 people aged 16-64 registered as partially sighted in England, without automatic eligibility to a Blue Badge, of whom a proportion of those may qualify for a Blue Badge via obtaining the PIP enhanced mobility rate. In addition, there may be a small number of people certified as blind (severely sight

impaired) who are not registered and thus do not access a Blue Badge via the automatic eligibility rate, who may have access to a Blue Badge via the PIP enhanced mobility. There are about 45,000 DLA recipients of working age where sight loss is the "main disabling condition". These include people who are deafblind and constitute less than 2.3% of the total relevant DLA caseload."

"Estimate based upon PANSI data would suggest around 6100 people."

"As the estimated figures for PIP claimants eligible for the daily living or mobility components of PIP have not been determined, nor have the expected number of enhanced or standard claimants – it is not possible to consider the number of people who would be affected."

## Question 3d

### Q3d. How do you think this option will affect existing badge holders, local authorities and the future sustainability of the Blue Badge scheme?

**4.12** Responses received from all category groups show a general apprehension over the effects this option would have on badge holders. An increase number of badges issued will result more competition for disabled parking spaces. Some Disability Groups suggest creating more disabled parking spaces; however that is for Local Authorities to decide.

Below is a sample of comments received:-

"There is already pressure on the available designated BB parking spaces, and existing badge holders would find it increasingly difficult to find a space, the LA would experience greater parking revenue losses. The benefits of having a BB would become meaningless."

"The scheme would be less sustainable because there would be a large increase in the number of badge holders, and therefore a higher demand and competition for disabled bays, and possibly an increase in cars parking on double and single yellow lines. This would cause problems with road safety, access for emergency vehicles and traffic flow. Existing badge holders would be unhappy that people that are able to walk without pain or difficulty were obtaining blue badges and parking in disabled bays when they are able to walk without pain. Blue badge holders already complain about people who they see as "fit", parking in disabled bays and "running off" without any obvious physical problems."

"It would increase the numbers eligible for a Badge, which is likely to have an adverse effect on current Badge holders being able to park and therefore access services. It may impact on the value it offers to Badge holders. This option may reduce the costs for Local Authorities to carry out assessments as more applicants would qualify under automatic qualification criteria. However, it would however increase the overall administration effort required for processing and renewing badges due to the increased numbers involved. It is also likely to reduce the amount of income for Local Authorities from parking."

"We believe this option would further ration the availability of disabled parking spaces for Blue Badge holders, as more people would be eligible. The knock on effects to local authorities are likely to be more admin costs, loss of parking revenue, requests to increase disabled parking space availability etc. The viability of the scheme in the medium to long term may be in question if eligible numbers continue to grow at an unmanageable rate."

"People who already have a blue badge would have much more difficulty in finding a disabled bay; Local councils would have increased costs for providing disabled bays and possibly lost parking revenue. This option would be likely to bring the scheme into disrepute because people would see apparently fit people with blue badges; this would encourage abuse."

"If the scheme is extended generally to include other groups then more Blue Badge parking spaces will also be needed and if these are not provided, this will only serve to penalise those people who have severe mobility problems as they will not be able to park close to where they need to be."

## Question 3e

**Q3e. How do you think this option would affect access to other linked benefits, e.g. preferential parking provision in off-street car parks, concessionary travel scheme and the London congestion charge?**

**4.13** From the 62 responses received in answer to this question, it is evident that there is concern that linked benefits may be adversely affected or eroded. This can be seen from the comments from all response categories:-

Disability Group - "It is likely that an increase in the number of Blue Badges would have a negative impact on these linked benefits. Preferential parking provision (or equal parking provision if this statement refers to wide, accessible bays required by wheelchair users, who should have equal access to parking facilities) would come under increased pressure, leaving less available for those who cannot use the narrower, mainstream parking bays. Concessions in parking fees and schemes such as the London Congestion Charge may also be reviewed in the light of increased use by Blue Badge holders, leading to an additional financial burden on

current Blue Badge holders. This is unacceptable given the disproportionate levels of poverty amongst disabled people."

Disability Group - "Because many off-street parking concessions are badge-reliant and already subject to massive abuse, both the extra numbers that would be issued under this option and the consequential extra scope for abuse, would compound the difficulties of those who really need the concessions by those who do not. Other benefits such as toll and congestion charging concessions would be similarly affected."

Local Authority - "There would be higher demand and competition for disabled bays. More people would qualify for bus passes, causing further expense to the LA who subsidise the transport companies. More people would qualify for the London congestion charge exemption, reducing revenue."

Local Authority - "This option would not significantly affect concessionary travel as the majority of people who would be automatically eligible are already receiving the service through the additional categories detailed in the Transport Act. There would be potential lost income for the London Congestion Charge, but this again has a huge level of misuse which, if tackled, would more than cover the additional genuine users that would be generated by accepting enhanced PIP as automatic evidence."

Individual - "The "Blue Badge" is widely accepted as proof of disability to gain other benefits. However, I would like to make it quite clear that when I say benefits, this are actually "necessities". It's not just about a life for ourselves but the satisfaction of being able to contribute to society despite our barriers."

## Question 4

**Q4. What are your views on Option 3 – establishing a legislative link between Blue Badge eligibility and a score of 8 or more under the 'Moving Around' activity within PIP?**

## Question 4a

**Q4a. Do you think that everyone who scores 8 or more under Activity 11 – Moving Around – within PIP should be automatically eligible for a Blue Badge? Please explain your reason.**

Category	Responses	Yes	No
Disability Groups	41 (38%)	28 (68%)	13 (32%)

<b>Local Authorities</b>	<b>26 (24%)</b>	<b>23 (88%)</b>	<b>3 (12%)</b>
<b>Other Interest Groups</b>	<b>3 (3%)</b>	<b>2 (67%)</b>	<b>1 (33%)</b>
<b>Public Sector</b>	<b>4 (4%)</b>	<b>2 (50%)</b>	<b>2 (50%)</b>
<b>Individuals / Members of the Public</b>	<b>36 (31%)</b>	<b>26 (79%)</b>	<b>7 (21%)</b>
<b>Total</b>	<b>107</b>	<b>81 (75%)</b>	<b>26 (25%)</b>

**4.14** This option was favoured the most by Disabled Groups, Local Authorities and Individuals with approx 75% of all those who responded to this question agreeing that this would be their preference. However many Disability Groups thought there should be additional criteria applied.

Disabled Group - "By following Option 3 the assessment criteria for a Blue Badge stay very close to what it is at the moment. People with severe mobility problems who get 8-10 points would still be able to get a badge even though they did not receive the enhanced rate. People who get enhanced mobility rate through the planning and following a journey would not be excluded from having a Blue Badge if they needed one they would just need to apply through the assessed route. Yes. The Blue Badge is designed to help those with physical mobility issues and 8 points or more is most akin to the current Blue Badge criteria."

Disabled Group - "From the options presented in the consultation document, the Department's preferred option that establishes a legislative link between Blue Badge eligibility and a score of 8 or more under the 'Moving Around' activity within PIP is also our preferred option."

Mental Health Disability Group - "The government's preferred option for determining eligibility for a Blue Badge following the introduction of Personal Independence Payment (PIP) is to establish a legislative link between Blue Badge eligibility and a score of 8 or more under activity 11, the 'moving around' descriptor in PIP. It would also remain possible to apply for a Blue Badge from a local authority under the 'with further assessment' route, although we continue to be concerned about the postcode lottery pattern of awards that are made by local authorities and evidence of fewer people with autism being awarded a Blue Badge by local authorities over the last year, since revised guidance was issued in February 2012. We therefore feel it is important to continue to have a legislative link between Blue Badge eligibility and the key benefit for disabled people, which from next year will be PIP. However we are opposed to this option as it is clearly focused on people with a physical disability, and discounts anyone with a mental health condition, intellectual or cognitive impairment, which includes many people with autism. This approach would be out of touch with the social model of disability. Whilst we recognise that the government wants to target the Blue Badge with the highest level of need, it should not be assumed that this is limited to people with a physical disability."

Local Authority - "This would maintain the integrity of the blue badge scheme. Blue badges should only be available to people who have a permanent and substantial



physical disability which causes inability to walk or very considerable difficulty in walking. The blue badge scheme needs to be restricted to people who meet this criteria only. The assessment for "Moving around" under PIP must be robust, and the same as someone who is being assessed as if they were applying for a blue badge under the discretionary criteria."

Local Authority - "Yes, we believe this option best replicates the existing system and focus on physical mobility. It shall largely leave the system unaltered in terms of eligibility for disabled people and cost for local authorities. 50 meters is a very short distance and anyone who can only move that far unaided, should be eligible under the Blue Badge criteria. There would be little point in assessing these individuals again at public expense."

Other Interest Group - "Yes as this would be based on their actual mobility issues and restrictions/would remove the need for a further mobility assessment and the PIP criteria would fit within current DfT blue badge criteria."

Public Sector - "Option 3 seems close to the present arrangements. People with mobility problems giving them a score of between 8 and 10 points would still qualify for a badge, even though they did not get the enhanced mobility rate. People who qualify for the enhanced mobility rate because they are unable to plan or follow a journey would be able to apply via the assessed criteria route."

Individual - "Yes, because it provides the best available balance between, on one hand issuing too many badges to people who don't really need them, and on the other hand making too many people go through double assessment."

## Question 4b

**Q4b. If this option is taken forward, who do you think will be affected in that they will no longer be automatically eligible for a badge? Do you think that they would be eligible under the 'with further assessment' criteria?**

**4.15** From the 77 responses received to this question it is evident that both Groups and Individuals are concerned that this option would affect people with mental health, learning difficulties and behaviour described as challenging, and who are also capable of walking 50m. People in this category may have previously been eligible for the higher rate of DLA and therefore would have been automatically eligible for a badge. However under Option 3 these people would not get automatic eligibility and would have to apply under the 'with further assessment' route. Below are some of the responses received for this question:-

Disability Group - "People with mental health conditions and learning disabilities with a particular need would still be able to qualify under the 'with further assessment' category if that was appropriate for their disability."

Disability Group - "If this option is taken forward individuals with severe learning disabilities and behaviour described as challenging who are currently eligible for the higher rate of DLA (mobility) will no longer be automatically eligible for a blue badge. The carers we support have expressed that they would be very concerned that their relative would not be eligible under the further assessment criteria. They are concerned that many assessors would not understand the needs of people with severe learning disabilities and conditions such as autism and therefore fail to understand the impact of these conditions on mobility. They are concerned that their relative would be assessed as being able to walk and consideration would not be given to factors such as lack of awareness of danger and anxiety which can result in a refusal to walk. "

Disability Group - "Assuming that current automatic eligibility for blind people remains, those affected by the proposal in 4a would be those who are currently eligible through having HRMCDLA but who do not score 8 or more under Activity 11. This is likely to include some blind people who are not registered; and some partially sighted people, and people with both sensory and physical impairments, who may score 12 points in activity 10 or a combination of activity 10 and 11 and thus be eligible for enhanced mobility rate through PIP."

Local Authority - "People who previously received HRMCDLA for mental health and/or behavioural problems only, would not be automatically eligible to receive a badge. They could receive a badge under the 'with further assessment' criteria, but only if it could be proved that their condition caused them to have substantial difficulty in walking."

Other Interest Groups - "Those with mental health and cognitive problems who are currently eligible and become ineligible, but should remain able to apply under the further assessment criteria."

Individual - "People with intellectual impairments would, of course, be hit by this option. They may, or may not, be eligible for a Blue Badge under the 'with further assessment criteria' and could have to undergo further assessment. This will be stressful to them and their families and is unfair."

Local Authority - "Our opinion is that relatively few would be affected by this as this is the closest option to the current criteria. As noted in the consultation document, those with a Mental Health, Intellectual or Cognitive impairment and in receipt of HRMCDLA would lose their automatic entitlement. If LAs are allowed the right to include these groups under the 'subject to further assessment' route, then some or all of these people may still be issued with a Blue Badge."

## Question 4c



#### Q4c. How many people do you think will be affected by this option?

**4.16** Only 29 responses were received in relation to this question, as there are few reliable data sources available for this information. Samples of the responses received are listed below:-

Disability Group - "We believe this guidance should be much clearer on the circumstances whereby someone with a mental health condition, cognitive or intellectual impairment would require a Blue Badge. In addition, we feel that serious questions need to be considered in relation to the impact this option could have in terms of determining eligibility for other transport concessions such as free travel on local buses, dial-a-ride and taxicard. There is a genuine fear that a focus on physical disability will become the norm for determining eligibility for other concessions. This option could stand to impact all people with a learning disability who currently receive a Blue Badge under automatic eligibility due to receiving HRMCDLA; 57,800 people. However, it is difficult to make an accurate estimate without more information."

Disability Group - "This is very difficult to estimate until the PIP criteria are established and the process begins. However, as previously noted, the additional number of blind and partially sighted people who would be able to acquire a Blue Badge would be relatively small compared to the number of Blue Badges issued, and would have little effect on the sustainability of the Blue Badge scheme."

Local Authority - "Very hard to know, but based on our experience we believe that it will approximate 8% of applicants."

## Question 5

#### Q5. Are there any other practical and sustainable solutions that should be considered?

**4.17** A number of Disability Groups, Local Authorities, Individuals and Other Interest Groups thought there should be additional criteria considered and/or recognition for other types of moving around difficulties. For example:-

- 1 In addition to the criteria of scoring 8 or more under activity 11, additional criteria for people who score 12 or more (or even higher) on Activity 10 - Planning and following a journey.
- 2 People who may cause injury to themselves or others if they are required to walk longer distances (i.e. if they become ineligible for a Blue Badge) or people who have variable conditions that may make them able to move around some days, but not on other days.
- 3 Changes to the fees charged for Badges.
- 4 Prevention of fraudulent use of Badges.

#### 4.18 Some examples of responses received are:-

Disabled Group - "Better enforcement powers of traffic control officers and more stringent measures on those who abuse the badge."

Disabled Group - " We recommend that the Government establishes a legislative link between Blue Badge eligibility and a score of 8 or more points under activity 10, 'moving round' (as suggested in option 3), but also extends eligibility to those who score 12 points or more under activity 11, 'planning and following a journey'. This would recognise that some individuals, including some people living with HIV, can experience problems getting around and would benefit from a Blue Badge even if their physical mobility is not severely impaired in a traditional sense. It would give people who experience severe social isolation the ability to get out and about, improving their wellbeing."

Disabled Group - "We welcomed the fact that under activity 10, the 'planning and following journey' descriptor in PIP, it will be possible for people with mental health problems to be eligible for the higher rate of the mobility component of PIP as this recognised the impact that a mental health problem can have on someone's mobility. Therefore, in addition to a legislative link between Blue Badge eligibility and a score of 8 or more points under the activity 11, 'moving around' descriptor in PIP, we recommend that the Government also extends eligibility to those who score 12 points or more under activity 10, the 'planning and following a journey' descriptor.. Mind believes that would help resolve some of the inequalities between the treatment of people with mental health problems, compared to those with physical health problems, in accessing mobility assistance."

Disabled Group - "We are concerned that a large number of people have Blue Badges under the existing discretionary criteria (2/3). While it is appreciated that there are people who have similar mobility problems to those who get HRMC/DLA but who would not qualify for the allowance (especially those disqualified by age), it may be that Local Authorities have interpreted the discretionary criteria too widely here. As a result there is a case for re-assessing all those with Blue Badges who do not fulfil the statutory criteria through an independent mechanism rather than via their own GP (who, nonetheless, should be able to provide expert evidence). Individual Assessments would increase the costs in the short term, but will bring savings in the medium and long term and ensure those with severe mobility problems are able to obtain a badge, which will help to improve the status of the blue badge scheme overall."

Local Authority - "It is our view that there needs to be changes to the fee in two regards. Firstly, your own figures (page 38) show the current fee does not cover the administration or badge fees. Secondly, the fee should be made non-refundable in recognition of the work needed to be undertaken just for the work required up to the taking of a decision on eligibility. This would be almost essential if there was no link to PIP payments."

Local Authority - "We do not have any other suggestions for eligibility. However, increased fraud prevention would benefit the whole scheme. Legislation is required to ensure LA's enforce the Blue Badge scheme, making sure people who misuse badges are caught and prosecuted. Currently there is no legal requirement for local authorities to carry out specific targeted enforcement of the Blue Badge scheme. This alone would make the whole scheme more effective, protecting spaces for genuine badge holders and protecting and increasing parking revenue. Some consideration also needs to be given to providing funding for fraud activities, possibly via an incentive, for example offering a payment for each successful prosecution."

Local Authority - "There is a widespread feeling here that the current £10 maximum fee is still very good value for money but is nowhere near sufficient to help cover the costs of administering the scheme. Consideration should be given to further increasing the charge, perhaps in line with Scotland who charges £20? This could be a maximum charge rather than a default."

Individual - "An alternative to widening access to the BBS would be to widen access to using taxis, though many taxis are inaccessible to mobility impaired people. DP could be eligible to apply for a Disabled Person's Identity card (DPIC). This card would allow DP to use taxis to take and collect them close to shops, etc and park in designated Disabled Taxi Spaces and provide evidence of eligibility to have priority in sitting on designated seats on public transport or have access to staff toilets in shops which have no public toilets, where an urgent need arises."

Other Interest Group - "If the blue badge holders are excluded from holding a blue badge, they should lose them. For example the holder should send the badge back."

## Question 5a

**Q5a. What would be the impacts and effects of these options on eligibility, impacts on existing badge holders, local authority costs and the operation of the Blue Badge scheme?**

**4.19** There were just 36 responses to this question and information on the potential impacts and effects is therefore limited. However listed below is a selection of responses received:-

Disability Group - "While a hybrid option may increase the number of Blue Badge

holders it is widely accepted that putting a limit on disabled people's independence (and also those that support them) has an economic cost. If unable to access a Blue Badge and have the certainty of getting to amenities and necessary appointments and services, there is a risk that people will become more excluded and isolated."

Disability Group - "It is difficult to say because much depends on how PIP operates in practice, how good the assessment process is and the outcome of the large number of appeals that are likely under the new system. For example, there may well be an increase in costs, especially if all existing Badge holders who do not meet the new statutory criteria have to be re-assessed. There is also the potential for negative press coverage if people who have Badges do not have them renewed. This may however restore credibility to a scheme which is vital to those with severe mobility problems but which has lost some credibility over recent years."

Local Authority - "Over time, fraudulent and misuse of Blue Badges should decrease as the BBIS becomes more widely used by enforcement authorities and other proposed changes are introduced by the Blue Badge Reform Programme. This will potentially lead to additional disabled car parking spaces and negate any possible increase in badge holders."

Local Authority - "LA Costs to local authority will go up if more applicants apply or are referred to the Mobility Clinic, compounding existing problems of delays and resources / capacity. Need to avoid the potential for applicant having to undergo 2 separate assessments i.e. one for PIP and then being referred on for an independent mobility assessment. Need to avoid people being awarded a BB automatically or under the discretionary route based solely on the grounds of mental health problems which do not impact on their walking ability."

## Question 6a

**Q6a. What is your view of the potential costs and benefits of the options that are summarised in Annex A?**

**4.20** There were 47 responses received in relation to this question. Whilst many responses were content with the costs and benefits as summarised in Annex A, some were not convinced that either the cost or benefits included all factors. Some examples of the responses received are:-

Disabled Group - "We are disappointed that there is no reflection in these statistics to show the economic benefits of enabling disabled people to park. A disabled

population that is able to work and spend money will be an important factor for future economic growth, but the ability to travel independently, and then subsequently park, is crucial for them to do this. Whilst we recognise that there are significant economic burdens which are currently afflicting the Government and the country, we urge the DfT not to allow cost to overrule any option which may bring the best outcome for disabled people."

Disabled Group - "The potential costs of processing and assessing an increased number of 'with further assessment' applications may be underestimated. The loss of income from parking revenue with an increase in Blue Badges may be overestimated. Further, and most importantly, the impact on costs and benefits associated with an increase in independent mobility linked to having a Blue Badge has not been included. There will potentially be social and economic benefits for individuals newly able to access a Blue Badge if this results in more independent mobility and increased participation in activities; costs associated with having to apply for a Blue Badge – economic and stress; and costs of not having a Blue Badge such as increased reliance on expensive taxis. For a Local Authority, and society generally, there are economic and social cross sector benefits if people's mobility increases; and cross sector costs if this mobility decreases."

Local Authority - "We feel that with respect to option 3 the costs would increase due to potential demand for more IMA's"

Local Authority - "Option 1 - LA's will receive more applications for blue badges. LA's will have to assess more applicants with an IMA. This would cost much more than the scheme costs to administer now, not less, as estimated. Option 2. Costs of administering this option would increase. More people would be eligible for a blue badge. The £10 fee does not cover the cost of assessing applicants, administering the application forms, buying the badges, and post/stationery costs. Option 3. This should reduce the number of people who qualify for a blue badge, so costs should go down. However, more people may apply under the "subject to further assessment" route."

Individual - "If the cost of an application is currently £30.82 and the fee is £10, then I feel you have justification to increase this to £30. Considering the benefit it gives to successful applicants, £10 a year is not unreasonable and this will increase your direct revenue threefold without resorting to guesswork on increased parking revenue. As for the costs, you could look to extend the badge qualification to 5 years instead of 3 if you wanted to cut down on the administration. Or, if you require the revenue, you may need to look at increasing the price. "

## Question 6b

**Q6b. What is your view of the assumptions used to estimate these costs and benefits?**

**4.21** From the 23 direct responses to this question, a number of Local Authorities queried the assumption for Option 1 that the option would result in an increase in revenues. Others were not sure that the cost of completing an assessment was correct. Examples are:-

"The assumption that option 1 would reduce costs by £5m-£25m is wrong. Assessing every applicant would cost LAs much more."

"The new assessment process has thrown up anomalies that make it difficult to base assumptions on how things were done in the past. This process is also still in its infancy which makes it difficult to make robust assumptions."

"On purely the cost of providing the badges the estimates show that option 1 will be much higher because of the increased number of assessments required to be done by LA's. This is a more identifiable cost as the loss of parking revenue is more difficult to quantify."

"Page 38 quotes the assessment cost at £11.80. This is unrealistic if we are assessing in full and giving further information and guidance that is for the overall benefit of the welfare and independence of the individual BB user and their families."

"There will be disparities nationwide among LA of the parking charge loss/gain as different LA have different practices with regards to parking charges. Additionally, many blue badge holders only use their badge for visits to hospitals and supermarkets where they do not pay a charge. I would therefore be cautious about these assumptions."

Individual - "Lots of 'woolly' assumptions such as the increased parking revenues. I am assuming that your revenue figures regarding the PIP assessments are guesses as we are being categorically told that there are no targets. "

## Question 6c

### **Q6c. Do you have any relevant data or information to send to the DfT to help with the analysis of options?**

**4.22** There were 32 direct responses to this question, examples of which are listed below. Other, more general, concerns are listed in Section 8.

Disabled Group - "Our membership expressed the opinion that any "further assessment criteria" and the process for carrying out the assessments should be nationally consistent and as streamlined as possible to avoid unnecessary delays. Again, we would stress that that any 'further assessment criteria' should allow for an assessment that reflects not only an individual's mobility, but that demonstrates issues (such as cognitive impairment or continence problems) that impact on their mobility needs."

Local Authority - "One key bit of information is that the previous medical Doctor's feedback was geared towards the professional relationship he/she had with the



applicant. We put confidence in the doctor's note when making the final decision. This responsibility has now fallen more on the desktop assessment and independent mobility assessment, where a more holistic assessment process is needed (within the Blue Badge eligibility criteria guidelines). This means that the PIP needs to be more specific regarding walking ability so that any ambiguity regarding that 'automatic' option is removed. Whatever changes are made the underlying principles must be based on;

- Fairness and consistency
- Avoiding duplication
- Recognition that this often relates to dealing with vulnerable people
- Efficiency delivered through automatic qualification, based on mobility."

Local Authority - "Analysis of our data is broadly in line with the estimates provided in the consultation paper; our figures are that DLA applicants are 33% of the total (excluding organisations)."

Local Authority - "Many of the modes of transport within TfL's responsibility are either partially or fully accessible to disabled people. For example, Docklands Light Railway, London Buses, and London Trams are all wheelchair accessible, and black cabs are required by TfL's conditions of fitness to be fully wheelchair accessible for the NHS active size wheelchair. Some London Underground stations are step-free from street to train and some from street to platform, and London Underground trains are accessible. There is no direct link between eligibility to use these services and the Blue Badge scheme (although there will be a substantial overlap). Disabled people living in London are entitled to a disabled person's Freedom Pass, which allows free travel on most modes of public transport at most times. Dial-a-Ride is a door-to-door transport service for disabled people who cannot use buses, trains or London Underground, but access is not associated with the Blue Badge scheme."

Individual - "I think automatic eligibility for anyone who meets certain criteria (e.g. higher rate mobility) is helpful in reducing stress levels. In cases where automatic eligibility is not met there should be clear guidelines about other criteria on which a badge may be considered. Any application process should be streamlined and easy to understand. Replies should be swift and reasons for refusal should be clear and justified."

## 5. General / Related Issues:

From the replies received in response to the consultation, the following note-worthy general / related issues were raised:-

- 5.1** Many Disabled Groups and Local Authorities have highlighted the fact that full detail of exactly how PIP will be administered and implemented by the DWP had not yet been released to the general public. This had made it difficult to respond to this consultation as the implementation of PIP is intrinsically connected to options within this consultation.
- 5.2** Many Disabled Groups and Individuals have raised the issue over specific medical conditions and the fact that, although they may have been given automatic eligibility under the old MRMC/DLA scheme, they may not receive automatic eligible under PIP options. Additionally, that may also not be eligible via the 'subject to further assessment' route using the new descriptors. Specific conditions raised include: Autism; Crohns and colitis; Cystic fibrosis; Dementia / Alzheimer; Brain haemorrhage; Myalgic Encephalomyelitis (M.E.); Incontinent conditions; Psychological/behavioural problems; Severe asthma; and Panic attacks.
- 5.3** Several Disabled Groups and Individuals have emphasised what they describe as a 'Postcode Lottery'. One Disabled Group states "The principal criterion for the issue of a Blue Badge should be the inability to walk or the virtual inability to walk – the cause of this inability is not as relevant in itself as the fact of it. This will include those with severe mobility problems, for example adults with severe double upper limb disabilities, people registered blind, people with severe psychological problems and children who need to carry bulky equipment. However, the options do not fully provide for this – so to be clear, our view is that there needs to be a means by which people, who are unable to walk a short distance safely or without overwhelming psychological distress, will be able to obtain a blue badge. The criteria for qualifying for a Badge should be as stringent whether application is via PIP or a Local Authority. At present there can be a 'postcode lottery'." Another Disability Group states "People felt a post code lottery already exists in many areas where benefits are not always provided to people who received them elsewhere."
- 5.4** A number of responses have raised the issue of duplicative assessments. One Disability Group states: "People who have already undergone onerous assessments for PIP (and in many cases ESA as well) should not have to complete yet another duplicative assessment to obtain a blue badge. In a significant number of cases claimants will have filled out lengthy application forms explaining how their disability affects them, provided additional evidence about their condition and attended at least one face to face assessment with a healthcare professional. Notably, stress has been shown to make symptoms of MS even worse."



- 5.5** Many responses have highlighted the fraudulent use of badges. One Private Sector Group states "We have been made aware by prosecuting authorities that there is extensive fraudulent use of 'Blue Badges' under the current scheme and that sophisticatedly 'cloned' 'Blue Badges' are sold illegally for high prices. This might appear surprising except when those purchase prices are compared against the annual costs of daily or partial-daily parking in inner cities. There is anecdotal evidence to confirm that the abuse of the 'Blue Badge' scheme is at an unprecedented level and has the potential to undermine their legal and essential requirement for disabled users. ITS (UK) also considers it important that any revision should be able to identify infringements or fraudulent use thereby reinforcing the lawful use and display of 'Blue Badges'."
- 5.6** A number of responses thought that referrals by GPs should still be accepted. One Individual stated "The simplest mechanism for referral to blue badge award is to have a rapid on-line 'tick box' route from GPs or specialist nurses straight to Dept of Transport, nothing complex, simply agreeing that there is an eligibility, therein route a) long-term or route b) 6 month award. There should be no requirement for receiving DLA/AA or PIPs: leave this judgment, please, to the medics who know the patient and know the condition spectrum best."
- 5.7** Some responses were concerned with the length of awards and the availability of badges for short term needs. One Disability Group stated: "We are concerned that as local authority awards are, at present, generally issued for a period of three years, this could prevent those requiring shorter term awards from accessing a Blue Badge. This could be problematic for people with fluctuating conditions like MS. Conversely, requiring people with long-term, degenerative conditions to re-apply after three years would cause unnecessary stress to claimants and represent an unnecessary cost to local authorities. MS is an incurable, long-term and degenerative condition. These individuals are likely to have been awarded the higher rate of PIP on a long term basis, and they should be issued a Blue Badge for a corresponding period of time."
- 5.8** Congestion Charge Scheme. "Blue Badge holders are eligible to register for a 100% discount from the charge. Up to two vehicles can be registered which would normally be used by the Blue Badge holder to travel within the charging zone. The vehicle could be one owned by the Blue Badge holder or one that they regularly travel in. The Blue Badge holder also has the option to nominate a vehicle on an ad hoc basis that will also benefit from the 100% discount. Increased numbers of Blue Badge holders accessing the 100% discount could dilute the benefits of the congestion charge for existing Blue Badge holders and other road users. There could be an increase in traffic congestion. There could also be a decrease in the net revenues the scheme generates as more road users would potentially be eligible for a Blue Badge discount. The net revenues are used to invest in transport measures in line with the Mayor's Transport Strategy."
- 5.9** A number of responses raised the issue of having to transport 'Bulky Medical Equipment'. One Local Authority stated: "If option 3 is implemented we agree that a score of 8 or more is appropriate for automatic entitlement to a Blue Badge. If a person cannot work more than 50 metres without the use of a wheelchair than they would be considered to have serious mobility issues. This is broadly in line with the

current eligibility criteria. However, we note that there is no mention of heavy/bulky medical equipment within the mobility activity and this will still be an issue for some applicants".