

Report of the Strategic Director, Place to the meeting of Executive to be held on 7 January 2020

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Subject:

BLUE BADGE RESIDENTIAL PARKING POLICY

Summary statement:

This report seeks approval for a policy on the implementation of Blue Badge parking places on residential streets.

Steve Hartley
Strategic Director -Place

Report Contact: Richard Gelder
Highways Services Manager
Phone: (01274) 437603
E-mail: Richard.gelder@bradford.gov.uk

Portfolio:

Regeneration, Planning & Transport

Overview & Scrutiny Area:

**Environment and Waste Management
& Regeneration and Environment**

1. SUMMARY

- 1.1 This report seeks approval for a policy on the implementation of Blue Badge parking places on residential streets.

2. BACKGROUND

- 2.1 Due to the make-up of existing housing stock across the Bradford district, there is a significant number of properties that do not have the benefit of off-street parking. Many areas have tightly-packed terraced housing, and car-ownership and the demand for parking often out-strips the level of available on-street parking. This is particularly prevalent in wards on the periphery of the city and district centres. It is recognised that residents with mobility constraints will be particularly disadvantaged in such circumstances; as such the Council currently provides on-street Blue Badge Parking Places (BBPP's) in residential areas where the applicants' meet established criteria.
- 2.2 The existing criteria require that an applicant:
 1. Is a Blue Badge holder
 2. Has a vehicle permanently based at application address
 3. Doesn't have off-street parking or a garage
 4. Is in receipt of:
 - a. the Higher Rate Mobility component of Disability Living Allowance, or
 - b. the Higher Rate of Attendance Allowance, or
 - c. the Mobility component of a Personal Independence Payment (PIP)
- 2.3 The existing, Area Committee based, policies that relate to BBPP's are up to 10 years old. These contain inconsistencies in the application process. The current system also relies on the Area Committee mechanism to consider objections, which can (by virtue of the committee cycle dates and meeting lead-in times) result in a protracted delivery process.
- 2.4 Officers receive a significant number of applications on an annual basis. The various scenarios that have arisen have provided evidence of the requirement for a more flexible approach.
- 2.5 One of the key proposed changes from previous arrangements is to introduce a reporting mechanism through the Executive Member (Regeneration, Planning & Transport) and Strategic Director (Place) to consider any neighbour objections or policy exceptions). This will streamline the governance process, reducing potential delay for applicants, and also ensure a district-wide consistent approach to decision making. There would be appropriate consultation with ward members as part of this process.
- 2.6 It is also proposed to have a more flexible approach to scenarios where the applicants have off-street parking or a garage (that may not be accessible), or situations where there isn't a vehicle based at the address (but the applicant still has regular vehicle-borne journeys).
- 2.7 The proposed policy is attached as Appendix 1.

3. OTHER CONSIDERATIONS

- 3.1 In developing the policy, officers have carried out consultations with the Council's Blue Badge planning group and also the independent Mobility Planning Group. The proposed changes have been widely supported.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 Funding for the assessment of BBPP's applications and implementation of any qualifying parking places is provided as part of the Safer Roads budget. The budget also covers a wide range of traffic management measures including casualty reduction schemes. Annual allocations for BPPP's are determined based on the demand in each constituency. The approved allocations for 2019/20 are:

Constituency	Allocation (£)
Bradford East	12,000
Bradford South	5,000
Bradford West	12,000
Keighley	5,000
Shipley	5,000

- 4.2 The proposed policy changes would result in a decrease in staff resource costs.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 The current system requires some applications to be reported to an Area Committee. As a result of the set committee dates and lead-in times, this can result in a delay of up to 2 months.
- 5.2 It is proposed that, under the new policy, any applications subject to neighbour objections or where an exception to the criteria is requested be given consideration by the Executive Member (Regeneration, Planning & Transport) and Strategic Director (Place).

6. LEGAL APPRAISAL

- 6.1 There are no specific issues arising from this report. The course of action proposed is in general accordance with the Councils power as Highway Authority and Traffic Regulation Authority.
- 6.2 However, it should be noted that the informal parking bays contemplated by the proposed policy in Appendix 1 cannot be enforced by law. They will comprise a marking on the carriageway and the extent of their effectiveness is reliant upon the goodwill of other drivers. If any such bays are eventually upgraded by way of a Traffic Regulation Order to become formal statutory parking bays then they will become legally enforceable at that point.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

7.1.1 An Equality Impact Assessment has been undertaken and is attached as Appendix 2.

7.1.2 Due consideration is given to the local authority duty under Section 149 of the Equality Act 2010 when developing the proposed policy.

7.2 SUSTAINABILITY IMPLICATIONS

None

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

7.4 COMMUNITY SAFETY IMPLICATIONS

7.4.1 The provision of Blue Badge parking places in residential areas provides safer, easier access for the most disadvantaged members of the local community.

7.5 HUMAN RIGHTS ACT

There are no implications on the Human Rights Act.

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

It is proposed to consult local ward members on any applications where objections have been received or an exception to the policy criteria is being sought.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

None

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

- 9.1 That the Executive approves a new policy for the provision of Blue Badge residential parking places as detailed in Appendix 1 of this report.
- 9.2 That the existing Area Committee based Blue Badge residential parking places policy system remains.

10. RECOMMENDATIONS

- 10.1 That the Executive approves a new policy for the provision of Blue Badge residential parking places as detailed in Appendix 1 of this report.

11. APPENDICES

Appendix 1 – Proposed Blue Badge Residential Parking Policy

Appendix 2 – Equality Impact Assessment

12. BACKGROUND DOCUMENTS

- 12.1 None

PROPOSED BLUE BADGE RESIDENTIAL PARKING POLICY

Proposed application criteria

The applicant must:

1. Have a valid Blue Badge
2. Have a vehicle permanently based at application address or provide evidence of regular trips with health visitors/family.
3. Not have accessible off-street parking or garage
4. Be in receipt of:
 - a. the Higher Rate Mobility component of Disability Living Allowance, or
 - b. the Higher Rate of Attendance Allowance, or
 - c. the Mobility component of a Personal Independence Payment (PIP)
5. Provide copies of all necessary documentation to demonstrate that the above criteria are met.

Consultations

1. A minimum of immediate adjacent neighbours.
2. Further extents for each location on its own merits.

Objections and Exceptions to the Policy

1. Considered via Decision Sheet to the Executive Member (Regeneration, Planning & Transport) and Strategic Director (Place).
2. Exceptions will only be considered where the applicant is not in receipt of the required mobility allowance but can demonstrate an over-riding need for a parking place.
3. Ward members will be consulted on any applications being considered by the Executive Member (Regeneration, Planning & Transport) and Strategic Director (Place). Any comments received as a result will be included in the background information on the Decision Sheet.

Parking place implementation

1. Informal bays installed (generally 5m long).
2. Potential to upgrade to formal bays (size increased to 6.6m) where there is evidence that the Blue Badge parking place is being used by non-blue badge holders (subject to separate approval of funding for an appropriate Traffic Regulation Order through the Safer Roads budget).

Other considerations

1. The policy only applies to Blue Badge parking places in residential areas.
2. The Council retains the right to remove bays where there is evidence of these being miss-used by the applicant (warning letter, final warning letter, removal of parking place). E.g. applicant's vehicle not parked wholly in bay, blue badge not displayed, vehicle not being used to transport blue badge holder).
3. Where an applicant provides representation that their parking place is being used by non-blue badge holders, this must be evidenced before officers consult ward members with a view to adding a Traffic Regulation Order to an appropriate Safer Roads future schemes list.
4. Vehicle types eligible to use the parking places are restricted to cars and specially adapted vehicles only.
5. Where the installation of a new Blue Badge parking place would result in more than 25% of available on-street parking on an individual street being occupied by BBPP's, the application should be referred to the Executive Member (Regeneration, Planning & Transport) and Strategic Director (Place) for a decision following consultation with local ward members.

Equality Impact Assessment Form

Reference – PTH/HS/48315

Department	Place	Version no	1
Assessed by	Andrew Smith	Date created	2/12/2019
Approved by	Julian Jackson	Date approved	10/12/2019
Updated by	n/a	Date updated	n/a
Final approval	Julian Jackson	Date signed off	10/12/2019

The Equality Act 2010 requires the Council to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups

Section 1: What is being assessed?

1.1 Name of proposal to be assessed.

Blue Badge Residential Parking Places policy.

1.2 Describe the proposal under assessment and what change it would result in if implemented.

The Council currently provides on-street Blue Badge Parking Places (BBPP) in residential areas where the applicants' meet established criteria.

Existing policies for BBPP's have been developed and are implemented at a constituency level and the current system relies on the Area Committee mechanism to consider objections, which can (by virtue of the committee cycle dates and meeting lead-in times) result in a protracted delivery process. Officers receive a significant number of applications on an annual basis. The various scenarios that have arisen have provided evidence of the requirement for a more flexible and responsive approach.

One of the key proposed changes from previous arrangements is to introduce a reporting mechanism through the Executive Member (Regeneration, Planning & Transport) and Strategic Director (Place) to consider any neighbour objections or policy exceptions. This will streamline the governance process as regular bi-weekly meetings currently take place, reducing potential delay for applicants, and also ensure a district-wide consistent approach to decision making.

It is also proposed to have a more flexible approach to scenarios where the applicants have off-street parking or a garage (that may not be accessible), or situations where there isn't a vehicle based at the address (but the applicant still has regular vehicle-borne journeys).

Section 2: What the impact of the proposal is likely to be

- 2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.**

The proposed policy would ensure a shorter application process for BBPP's where objections have been received or a policy exception has been requested.

- 2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.**

N/A

- 2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.**

No

- 2.4 Please indicate the level of negative impact on each of the protected characteristics?**

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

Protected Characteristics:	Impact (H, M, L, N)
Age	N
Disability	N
Gender reassignment	N
Race	N

Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
Additional Consideration:	
Low income/low wage	N

2.5 How could the disproportionate negative impacts be mitigated or eliminated?

(Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

N/A

Section 3: Dependencies from other proposals

3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.

The Revenue and Benefits team (who administrate the Blue Badge scheme) have been consulted. No additional equality impacts have been identified.

Section 4: What evidence you have used?

4.1 What evidence do you hold to back up this assessment?

The Traffic & Road Safety teams process a significant number of BBPP applications on an annual basis and as such have a wealth of experience in dealing with the full cross-section of application circumstances. The proposed policy has been developed using lessons learnt in recent years.

4.2 Do you need further evidence?

No.

Section 5: Consultation Feedback

5.1 Results from any previous consultations prior to the proposal development.

The Mobility Planning Group was consulted on the proposals contained in this policy and is supportive.

5.2 The departmental feedback you provided on the previous consultation (as at 5.1).

None.

5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).

None.

5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.

None.