

# Gloucestershire Blue Badge Parking Scheme

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## Gloucestershire Blue Badge Parking Scheme Policy

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## **1. Introduction**

- 1.1 The Blue Badge (Disabled Persons' Parking) Scheme was introduced in 1971 under Section 21 of the Chronically Sick and Disabled Persons Act 1970.
- 1.2 Under the scheme, Blue Badge parking permits can be issued to people who meet Blue Badge eligibility criteria.
- 1.3 The scheme provides a national range of on-street parking concessions to badge holders. It allows them to park without charge or time limit in otherwise restricted on-street parking environments and to park on yellow lines for up to three (3) hours unless a loading ban is in place.
- 1.4 Badge holders are also entitled to apply for other concessions, for example on toll charges (see [GOV.UK](https://www.gov.uk)) or exemption from London Congestion Charges (see [Transport for London](https://www.transportforlondon.com)). Badge holder rights and responsibilities are published on [GOV.UK](https://www.gov.uk).
- 1.5 Concessions apply only when:
  - the badge holder is part of the journey, i.e. travelling in the vehicle as the driver or as a passenger, and
  - the Blue Badge is displayed where it can be clearly read through the front windscreen.
- 1.6 The scheme applies to people who have severe and enduring (i.e. lasting more than three (3) years) mobility problems due to a disability and as a result while walking between a vehicle and their destination may:
  - experience very considerable difficulty in walking or psychological distress
  - be at serious risk of harm or pose serious harm to other people
- 1.7 The person's ability to walk from a vehicle to their destination may be limited by:
  - a physical disability or
  - a condition such as a learning disability, a mental health disorder or some other non-visible ('hidden') disability which puts them or other people at risk of serious harm
- 1.8 The scheme also applies to:
  - children under the age of three (3) who need to be near a vehicle at all times because they have a condition that may require urgent treatment or who must always be accompanied by bulky medical equipment
  - drivers who have a severe disability in both arms and are unable to operate / have considerable difficulty operating some or all types of parking meter.

1.8 Responsibilities for the Blue Badge scheme are split between:

- The **Department for Transport** which is responsible for the legislation that sets out the framework for the scheme including:
  - the prescribed descriptions of disabled people to whom a badge may be issued, for example, the eligibility criteria
  - the maximum fee that can be charged by local authorities for issue of a badge
  - the period of issue of a badge
  - the grounds for refusal to issue a badge and the grounds to withdraw a badge
  - the circumstances in which a badge should be returned to the issuing authority
  - the manner in which a badge should be displayed
  - the national concessions available to badge holders under the scheme
- **local authorities** which are responsible for the day to day administration of the scheme and for parking enforcement in their area.

1.9 Gloucestershire County Council (we / the council) manages Blue Badge responsibilities in Gloucestershire through its:

- Blue Badge team which administers the Blue Badge scheme, and
- Parking Services which are responsible for parking enforcement and investigating blue badge fraud and misuse

1.10 This policy sets out how the council's Blue Badge team will administer the Blue Badge scheme. For information about parking and enforcement, please see <https://www.gloucestershire.gov.uk/highways/parking/>.

## 2. Where to find information about the Blue Badge scheme

2.1 The [GOV.UK website](#) publishes information about the Blue Badge Scheme and how to apply or renew a Blue Badge.

2.2 The council will publish information about the Blue Badge Scheme in Gloucestershire on the council's [Blue Badge webpage](#).

### 3. Apply for a Blue Badge

3.1. Applications for a Blue Badge may be made by:

- or on behalf of a disabled person. Applications for children under the age of 16 must be made by a parent / other person with parental responsibility for the child.
- or**
- in exceptional circumstances, an organisation which provides care and support to and transports people with disabilities.

3.2 Applications may be made:

- online at [GOV.UK / apply-blue-badge](https://www.gov.uk/apply-blue-badge), or
- by post using the [application form on the council's website](#). Postal applications should be sent to:

Blue Badge Team  
Gloucestershire County Council  
4th Floor, Block 4  
Shire Hall  
Westgate Street  
Gloucester  
GL1 2TG

3.3. The Blue Badge team will process only applications that are fully and correctly completed **and** accompanied by:

- all required supporting evidence
- a passport sized and passport standard colour photograph showing the applicant's full face. The photograph must be taken within one (1) month prior to the date of application. Photographs are not required for organisations
- the £10 Blue Badge issue fee. The issue fee will be refunded in full if the application is unsuccessful

3.4. The Blue Badge Team are unable to process applications which do not meet the requirements listed at paragraph 3.3 above. Incomplete applications will be returned to the applicant / their representative with a letter of explanation.

#### 4. Blue Badge eligibility criteria

4.1 Applicants will be eligible for a Blue Badge if they:

- satisfy residency and identity checks, **and**
- meet **one** of two types of eligibility criteria.

4.2 Applicants who have a terminal illness that limits their mobility should support their application with a DS1500 / SR1 medical information form if their life expectancy is less than 12 months. These applications will be fast-tracked by the Blue Badge team.

#### **Type 1: Eligible without further assessment:** automatic qualification

4.3 Applicants aged **three (3) years** or over will automatically qualify for a Blue badge where the applicant meets one or more of the following criteria:

- receives the Higher Rate of the Mobility Component of the Disability Living Allowance (HRMCDLA); or
- receives the mobility component of Personal Independence Payment (PIP) and has obtained eight (**8**) points or more under the '**moving around**' activity; or
- receives the mobility component of PIP and has obtained ten (**10**) points specifically for **Descriptor E** under the '**planning and following journeys**' activity on the grounds that they are '**unable to undertake any journey because it would cause them overwhelming psychological distress**'; or
- is registered blind (severely sight impaired); or
- receives a War Pensioner's Mobility Supplement (WPMS); or
- has been both awarded a lump sum benefit at tariffs 1-8 of the Armed Forces Compensation Scheme and certified as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking

**Note:** Armed Forces Independence Payment (AFIP) awards are not included in Type 1 eligibility criteria.

4.4 The Blue Badge team will re-assess applications declined on the grounds that the applicant was not awarded / no longer receives the HRMCDLA or the appropriate PIP score against Type 2 (next page) criteria before making a final eligibility decision.

## Type 2: Eligible subject to further assessment

### *Applicants aged three (3) years or over*

4.5 Applicants aged **three (3) years** or over will qualify for a Blue Badge if they are able to demonstrate either that:

- they regularly drive an adapted or non-adapted vehicle, have a severe disability in both arms **and** are unable to operate, or have considerable difficulty in operating, all or some types of parking meter

**Note:** A badge will not be issued under this criterion to anyone who travels solely as a passenger or who only has difficulty carrying parcels, shopping or other heavy objects such as luggage.

**or**

- they have an enduring (i.e. lasting for at least three (3) years) and substantial disability which causes them during the course of a journey to be unable to walk or experience very considerable difficulty whilst walking, which may include very considerable psychological distress.
- in addition they may be at serious risk of serious harm when walking – or pose when walking a risk of serious harm to any other person

**Note:** difficulty whilst walking under this criterion could be caused by a physical or a non -visible ('hidden') disability.

4.6 If it is not self evident from the application form and supporting evidence that the applicant meets / does not meet the type 2 criteria, before making the eligibility decision the Blue Badge team will ask the applicant to complete an additional questionnaire and / or arrange a face to face assessment with an expert assessor before making the eligibility decision. The expert assessor may:

- with the applicant's consent, request further information from a health professional named by the applicant in their application / supporting material, or
- if no professional contact is named, ask the applicant for contact details of suitable professional.

4.7 The application will be declined if the applicant does not:

- provide additional information requested by the Blue Badge team
- attend a face to face assessment arranged by the Blue Badge team

Please see [section 6](#) for more information about when an application is declined.



### *Children under the age of three (3)*

4.8 Children **under the age of three (3)** may be eligible for a Blue Badge where the child has a medical condition as a result of which:

- the child must always be accompanied by bulky medical equipment which cannot be carried around with the child without great difficulty, for example:
  - ventilators
  - suction machines
  - feed pumps
  - parenteral equipment
  - syringe drivers
  - oxygen administration equipment
  - continuous oxygen saturation monitoring equipment
  - casts and associated medical equipment for the correction of hip dysplasia

#### **and / or**

- the child needs to be near a vehicle at all times so that necessary treatment can be given in the vehicle or the child can be quickly transported somewhere else for treatment (for example to hospital or home). This criterion is usually applied to children with unstable medical conditions, for example:
  - children with tracheostomies
  - children with severe epilepsy / fitting
  - children with highly unstable diabetes
  - terminally ill children who can only access brief moments of outside life and need a quick route home

### *Organisations*

4.9 A Blue Badge may be issued to an organisation where the organisation is able to demonstrate that:

it provides care for **and** transports people who themselves meet the eligibility criteria for a Blue Badge

**Note:** Blue Badges will not be issued to taxis, private hire, or community transport operators as they are involved only in transporting disabled people and are not involved in their care.

#### **And**

- there is a genuine and necessary reason for the organisation to have an organisational badge. It is preferable for people to apply for their own Blue Badge which they can then use in any vehicle they are driving or in which they are travelling as a passenger

4.10 Organisations may only display a Blue Badge when someone who would be eligible for a badge in their own right is being transported. Drivers may be fined if they use the badge to take advantage of concessions where there are no such passengers in the vehicle.



## 5. When a Blue Badge is issued

5.1 When the Blue Badge team is satisfied that relevant eligibility criteria are met:

- the Blue Badge team will write to the applicant to confirm that they will receive a Blue Badge. The badge will be issued by a provider commissioned by the Department for Transport
- badge holder details will be added to the national Blue Badge database.

### *Period of issue*

5.2 Most Blue Badges will be issued for a period of three (3) years. **Exceptions apply** for:

- children under the age of three (3) years. Children's badges will be issued for a maximum period which ends on the day after the child's third birthday
- entitlements linked to HRMCDLA, WPMS or PIP awards where the allowance period is less than three (3) years. Blue Badges will be issued for a period which corresponds with the period of the HRMCDLA, WPMS or PIP award

5.3 Badge holders have a [duty to return the Blue Badge](#) to the council before the expiry date if they no longer need the Blue Badge, for example because their condition has improved or they become housebound.

### *Re - applications*

5.4 Blue Badges are valid only until the expiry date shown on the badge.

5.5 The Blue Badge team will send badge holders a written reminder to re-apply for their Blue Badge in advance of the expiry date. Badge holders should re-apply for their Blue Badge at least twelve (12) weeks prior to the expiry date.

5.6 The re-application process is the same as the application process described at [section 3](#). Re-applications must be accompanied by:

- all required information and supporting evidence that the Blue Badge is still required
- an updated passport sized and passport standard colour photograph taken within one month prior to the date of re-application
- the £10 re-issue fee

5.7 The Blue Badge team will re-assess eligibility against the relevant criteria. This includes re-assessment of eligibility for Blue Badges issued by another local authority where the Blue Badge is due to expire and the applicant has since become resident in Gloucestershire.

5.8 Applications awarded under [Type 1 eligibility criteria](#) will be re-assessed against [Type 2 criteria](#) if the badge holder no longer receives the qualifying benefit.

5.9 The Blue Badge team will write to the badge holder to advise them of the outcome of the re-assessment. If this results in re-issue, a new Blue Badge will be issued by a provider commissioned by the Department for Transport.

*[Replacement of damaged lost and stolen badges](#)*

5.10 Badge holders may request a replacement Blue Badge if the original has been lost, stolen, damaged, destroyed or has become illegible.

5.11 Badge holders should report stolen badges to the Police and provide the Police crime reference number to the Blue Badge team.

5.12 Badge holders / their representatives can request a replacement badge by using the online form on [GOV.UK](#) or by downloading a '[request for a replacement badge](#)' form from the council website. Our staff will provide the form on request to anyone who is unable to download the form for themselves.

5.13 Requests for replacements must be accompanied by payment of the £10 re-issue fee.

5.14 The original badge will be cancelled when a replacement is issued.

5.15 In most cases, the replacement badge will be valid until the expiry date of the original. If the original badge was due to expire in less than three (3) months, the badge holder / their representative may make a fresh application for a new badge which will be issued for three (3) years or as indicated at [paragraph 5.2](#).

5.16 The date and reason for re-issue of a badge will be recorded on the badge holder's record for monitoring purposes.

5.17 Damaged badges and badges reported as lost or stolen which are later found or recovered must be returned to the Blue Badge team for secure destruction.

*Badge holder duty to return Blue Badges to the council*

5.18 Blue Badges remain the property of the Council at all times. Badge holders must return the badge to the Blue Badge team when:

- the badge expires
- the badge holder is no longer eligible or, in the case of an organisational badge, the organisation no longer exists or is no longer eligible

**Note:** HRMCDLA recipients may retain their badge until the expiry date where they are reassessed by the Department for Work and Pensions and fail to score:

- 8 points or more under the 'Moving Around' mobility component of PIP or
- 10 points specifically for Descriptor E under the 'planning and following journeys' activity of the mobility component of PIP on the grounds that they are 'unable to undertake any journey because it would cause them overwhelming psychological distress'
- the badge was issued as a replacement for one that was lost or stolen and the original has been found or recovered
- the badge is so damaged or faded that it is no longer completely legible or it cannot be identified correctly or distinguished from a forgery;
- the badge holder no longer needs the badge, for example because their condition has improved so they are no longer eligible or they have become confined to the house
- another valid badge has been issued to the badge holder by another issuing authority. Badge holders may hold only one valid badge issued to them in the local authority area in which they are resident

5.19 Badges must also be returned to the Blue Badge team when the badge holder dies.

*Fraud and misuse – withdrawing a blue badge*

5.20 The council will investigate concerns about fraudulent applications and / or badge misuse and may withdraw a Blue Badge if it is satisfied that fraud / misuse has occurred. If fraud or misuse is identified then this may result in prosecution in court.

5.21 The Council may withdraw a Blue Badge when:

- a badge holder or third party is successfully prosecuted for:
  - an offence under section 21(4B) of the Chronically Sick and Disabled Persons Act 1970 (misuse of a real blue badge by a third party or use of a fake/altered badge by a third party or the badge holder while the vehicle is being driven)
  - an offence under sections 115 or 117 of the Road Traffic Regulation Act 1984 (misuse of a real blue badge by a third party or use of a fake/altered badge by a third party or the badge holder while the vehicle when the vehicle is parked)
  - dishonesty or deception committed under any other UK legislation in relation to the badge (for example offences under the Fraud Act 2006, the Theft Act 1968, the Forgery and Counterfeiting Act 1981, and so on)

**Note:** Where a third party committed the prosecuted offence, the council will not withdraw the Blue Badge if it is satisfied that the badge holder was unaware that the third party was using the badge.

5.22 The council may withdraw a Blue Badge where it is satisfied that the badge holder has acted fraudulently or misused the card, for example:

- obtained the badge through a fraudulent application (providing false information)
- used an expired or illegible badge
- Used a badge of a deceased person
- used a badge declared as lost or stolen for which a replacement was issued
- used a badge which they are no longer entitled to use
- permitted a third party to use the badge
- allowed a third party to copy, alter, fake or forge the badge

## 6. When an application for a Blue Badge is declined

### *Grounds for not issuing a Blue Badge*

#### 6.1. The following are grounds for not issuing a Blue Badge:

- the applicant already holds a valid badge issued by another issuing authority
- the applicant holds or has held a Blue Badge but either the badge holder or a third party has been convicted for wrongful or fraudulent use of the Blue Badge
- the applicant did not provide sufficient evidence of eligibility. This includes when an applicant does not provide supporting evidence requested by the Blue Badge team and / or did not attend a face to face assessment arranged by the council
- the applicant did not pay the £10 Blue Badge issue fee
- the applicant was unable to provide evidence of residency
- there are reasonable grounds for believing that the applicant is not the person they claim to be or would permit another person to use the badge
- A report from an expert assessor confirming an applicant's eligibility has not been made available to the council in a form that is satisfactory

#### 6.2. Applicants assessed under Type 1 eligibility criteria will not be refused a Blue Badge solely on the grounds that they have not been awarded (or no longer receive) the HRMCDLA or the appropriate PIP score. Their application will be assessed under the Type 2 criteria before a final eligibility decision is made.

### *Informing the applicant why their application has been declined*

#### 6.3 The Blue Badge team will write to the applicant / their representative to explain the reason why their application has been declined.

### *Right to request a review of the decline decision*

#### 6.4 Applicants / their representative have the right to request a review within six (6) months of the decline decision if they believe that:

- the application was wrongly declined ([see 6.10](#)) or
- there is new or additional evidence to support their application that has not been considered by the Blue Badge team ([see 6.7](#))

- 6.5 Applicants can request a review by completing the [Review Request form](#) on the council's website and sending it to the Blue Badge team together with any new or additional evidence to support the request. Our staff will provide a paper copy of the form to anyone who is unable to access it for themselves.
- 6.6 The Blue Badge team will commence the review process within **two (2) weeks** of receiving the review request.

***Where applicant provides new or additional medical evidence***

- 6.7 The Blue Badge team will:
- arrange for an expert assessor to review the new or additional medical evidence and may require the applicant to attend a face to face assessment with an expert assessor. The expert assessor may, with the applicant's consent, request further information from a health professional named by the applicant in their review request / supporting information
  - advise the applicant / their representative in writing of the outcome of the review. If the decline decision is overturned, a Blue Badge will be issued (see [section 5](#))
- 6.8 Where the decline decision is upheld, the applicant / their representative may request a review of the decision by the relevant Integrated Social Care Manager whose decision will be final.
- 6.9 The Blue Badge team will advise the applicant / their representative in writing of the outcome of the Integrated Social Care Manager's review. If the decline decision is overturned, a Blue Badge will be issued (see [section 5](#))

***Where applicant does not provide any new or additional medical evidence***

- 6.10 Where the applicant is unable to provide new or additional medical evidence to support their case, the relevant Integrated Social Care Manager will review the decline decision. Their decision will be final.
- 6.11 The Blue Badge team will advise the applicant / their representative in writing of the outcome of the Integrated Social Care Manager's review. If the decline decision is overturned, a Blue Badge will be issued (see [section 5](#))

***Right to re-apply for a Blue Badge***

- 6.12 Unsuccessful applicants who believe their condition has changed significantly or who can provide new or additional evidence of their eligibility for a Blue Badge retain the right to:
- request a review of their original application within six (6) months of the decline decision, **or**
  - make a new application for a Blue Badge at any time after that period

## **7. Using the Blue Badge outside Gloucestershire**

- 7.1 Blue Badges issued in Gloucestershire are valid throughout the United Kingdom.
- 7.2. Badge holders should check requirements for concessions such as exemptions from toll charges and London Congestion Charges before travelling as most require advance registration.
- 7.3 Blue Badges issued in the United Kingdom are recognised in some European Union (EU) countries although parking concessions may vary between countries. For up to date information, badge holders should check the [GOV.UK using a blue badge in the European Union webpage](#) before travel.

## **8. Visitors to Gloucestershire**

- 8.1. Visitors with badges issued in another part of the United Kingdom are entitled to use their badge within Gloucestershire.
- 8.2 Valid disability parking badges issued by countries outside of the United Kingdom are recognised in Gloucestershire. Visitors should bring their disabled parking badges with them and contact the Blue Badge team for a clock card which must be displayed with their disability badge.

## **9. Parking with a valid blue badge in Gloucestershire**

- 9.1 In Gloucestershire, blue badge holders can park at the following locations for a maximum of three hours for free when clearly displaying a valid blue badge and time clock;
- Double yellow lines
  - Single yellow lines
  - Limited Waiting Bays
  - Pay and Display Bays
  - Designated Blue Badge Bays (in line with the maximum stay displayed on the sign plate)
  - Share Use Bays (where either pay and display or limited waiting is shared with permit holders)
- 9.2 Areas where blue badge holders are not permitted to park in Gloucestershire include;
- Where there is a loading ban in force denoted by yellow kerb markings
  - In bus stops and taxi ranks
  - In permit holder only bays



## **10. Records and monitoring**

- 10.1 The Blue Badge team will maintain records of all applications, re-applications and eligibility decisions. Badge holder details are also entered into and retained on a national database.
- 10.2 Badge holder information will be managed in accordance with the requirements of the General Data Protection Regulation (GDPR) as enacted in the Data Protection Act 2018.
- 10.3 The Blue Badge team will keep renewal dates under review and will issue notices to remind applicants to re-apply for a new Blue Badge before their current badge expires.
- 10.4 Badges may be inspected by Police, parking enforcement officers and other authorised personnel to ensure that they are being used according to legislative requirements.

## **11. Concerns and complaints**

### *Appealing against a decline decision*

- 11.1 Applicants who are refused a Blue Badge and believe that their application has been wrongly declined should request a review of the decision – please see the [request a review section paragraphs 6.4- 6.11](#))

### *Raising concerns about other matters*

- 11.2 The council encourages anyone who is dissatisfied with the service they have received from the Blue Badge team or other council staff to:
- discuss their concerns with the staff member they are dealing with or
  - ask to speak to the staff member's manager instead.
- 11.3 We will try to resolve concerns quickly or explain why this is not possible. If we are unable to satisfactorily resolve matters, people may use the council's [complaints procedure](#).

## **12. Policy review**

- 12.1 This policy will be reviewed by October 2025.

## Appendix 1: Blue Badge eligibility criteria

Source: [Department for Transport Blue Badge scheme local authority guidance \(England\)](#) May 2022

### Type 1: 'Eligible without further assessment'

The 'eligible without further assessment' criteria

4.4 People who may be issued with a badge without further assessment are those who are more than two years old and fall within one or more of the following descriptions:

- receives the Higher Rate of the Mobility Component of the Disability Living Allowance (HRMCDLA)
- receives the mobility component of Personal Independence Payment (PIP) and has obtained 8 points or more under the "moving around" activity
- receives the mobility component of PIP and has obtained 10 points specifically for Descriptor E under the "planning and following journeys" activity, on the grounds that they are unable to undertake any journey because it would cause them overwhelming psychological distress
- is registered blind (severely sight impaired)
- receives a War Pensioner's Mobility Supplement (WPMS)
- has been both awarded a lump sum benefit at tariffs 1-8 of the Armed Forces Compensation Scheme and certified as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking

Notes:

- Armed Forces Independence Payment (AFIP) awards are not included in the Type 1 eligibility criteria
- for applicants in receipt of PIP, a local authority should not base a decision to award a Blue Badge on a combined score from both the 'planning and following journeys' and 'moving around' Mobility Activity

If an applicant does not meet the required score for either Mobility Activity, then they fail to meet either of the above 'eligible without further assessment' PIP criteria and may be considered instead under the 'subject to further assessment' criteria (see below).

While cumulative points under the "moving around" mobility activity can count towards qualification under this criterion, this does not apply to the 'planning and following journeys' mobility activity.

Under the 'planning and following journeys' mobility activity only a score of 10 points for Descriptor E ("cannot undertake any journey because it would cause overwhelming psychological distress to the claimant") counts as meeting eligibility.

Applicants in receipt of 10 points for Descriptor D, or 12 points for Descriptor F under the 'planning and following journeys' mobility activity do not qualify under this criterion. Such applicants should be considered under the 'subject to further assessment' criteria.

Applicants in receipt of a grant pursuant to paragraph 10(3) of Schedule 1 to the National Health Service Act 2006 or section 46 of the National Health Service (Scotland) Act 1978 - also qualify for a Badge without further assessment. However, we believe that the number of people this will apply to is very small. Applicants in this position, and who are not able to demonstrate their eligibility under one of the other '...without further assessment criteria' should contact their local authority with recent evidence of this grant being awarded.

## **Type 2: 'Eligible subject to further assessment'**

The 'eligible subject to further assessment' criteria

4.26 People who may be issued with a badge after further assessment are those who are more than three years old and may be described as one or more of the following:

- a person who drives a vehicle regularly, has a severe disability in both arms and is unable to operate, or has considerable difficulty in operating, all, or some types of parking meter; or
- a person who has been certified\* by an expert assessor as having an enduring and substantial disability which causes them, during the course of a journey, to be unable to walk, experience very considerable difficulty whilst walking, which may include very considerable psychological distress
- in addition, they may be at risk of serious harm when walking - or pose, when walking, a risk of serious harm to any other person

4.27 Persons needing such certification are those in whose case a local authority does not consider it self-evident that they fall within these descriptors. (See regulation 4 (3A) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (S.I.2000 No.682).

If it is not self-evident to a local authority on the basis of the information available to them, from the applicant and health or social care practitioners, whether the applicant falls within these descriptors, then a referral should be made to an expert assessor for certification.

4.28 Any of the above three types of difficulty whilst walking could potentially be caused by a physical disability, or by a non-visible ('hidden') disability. In either case, the disability experienced by the applicant must endure for at least three years.

4.29 In addition, children under the age of three may be eligible for a badge if they fall within either or both of the following descriptions:

- a child who, on account of a condition, must always be accompanied by bulky medical equipment which cannot be carried around with the child without great difficulty
- a child who, on account of a condition, must always be kept near a motor vehicle so that, if necessary, treatment for that condition can be given in the vehicle or the child can be taken quickly in the vehicle to a place where such treatment can be given

4.30 These criteria are defined in regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (S.I. 2000 No. 682) as amended by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (Regulations) 2019 (S.I. 2019 No. 891). The latter SI also amends regulation 2 (which defines the role of an 'expert assessor', discussed in paragraph 4.31.

These changes seek to ensure that difficulties experienced by people with non-visible disabilities, whilst walking as part of a journey, are taken into full consideration by local authorities when determining the eligibility of applicants for a Blue Badge.

## **Appendix 2: Assessing applications for people who while walking are at risk of serious harm or who pose risk of serious harm to other people – non-visible ('hidden') disabilities**

**Source:** [Department for Transport Blue Badge scheme local authority guidance \(England\)](#) May 2022

4.61 To qualify under this criterion, an applicant must have any enduring (lasting for at least three years) and substantial disability that means they are, during the course of a journey, at risk of serious harm, when walking, or pose, when walking, a risk of serious harm to themselves or any other person.

4.62 The DfT expects that, in the context of disabilities that are predominantly non-visible ('hidden') in nature, a risk of serious harm to self/others could manifest as one or more of the following behaviours:

- becoming physically aggressive towards others, possibly without intent or awareness of the impact their actions may have
- refusing to walk altogether, dropping to the floor, or becoming a dead-weight
- wandering off or running away, possibly without awareness of surroundings or their associated risks (for example, nearby roads, car park environments)
- disobeying, ignoring and/or being unaware of clear instructions
- experiencing very severe or overwhelming anxiety (for example, through hypervigilance)
- experiencing an overwhelming sense of fear of public/open/busy spaces
- experiencing serious harm or causing harm to others
- avoiding some/all types of journeys due to the kinds of experiences listed above

4.63 This list is not exhaustive and local authorities will need to satisfy themselves that the risk of serious harm to self or others when walking, during the course of a journey, is caused by an enduring and substantial disability.

In this context it is recognised that some of the listed behaviours, as well as others, may be exhibited ordinarily by children who do not have any enduring or substantial disability. It is therefore important for local authorities to consider the extent of any such behaviours and/or difficulties experienced by an applicant in relation to common developmental milestones.

4.64 Local authorities will also need to be satisfied that such difficulties cannot otherwise be managed through reasonable coping strategies. For example, where an applicant would only ever be accompanied by another person and that negates 'very considerable' difficulty, a badge would not help the applicant.

4.65 In considering coping strategies, local authorities should consider whether existing strategies are being adopted and are effective (i.e. they may work, but they may require significant time to be invested on the part of the applicant), and whether a Blue Badge would be an effective 'coping strategy' in its own right. Importantly, journey avoidance should not be considered an appropriate coping strategy.

4.66 Ultimately, it is a matter for each individual local authority to adopt an assessment approach that they believe complies with the legislation and that best suits their circumstances.

4.86 Research commissioned in 2019 by the DfT to support the development of this guidance suggested that it could be reasonable for local authorities to consider that the frequency with which an applicant experiences very considerable difficulty whilst walking during the course of a journey, or presents a risk of serious harm to themselves/others when walking during the course of a journey, should be 'more often than not' when determining eligibility for a Blue Badge.

## Appendix 3: Blue Badge Scheme Relevant legislation

**Source:** [Appendix B Department for Transport Blue Badge scheme local authority guidance \(England\)](#) May 2022

10.1 The disabled persons' parking badge scheme came into operation on 1 December 1971 by means of Regulations made under Section 21 of the Chronically Sick and Disabled Persons Act 1970 (Badges for display on motor vehicles used by disabled persons). This Act was amended by the Disabled Persons' Parking Badges Act 2013.

10.2 The scheme as it currently stands is governed by the following Regulations:

- the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 ([SI 2000/682](#));
- the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2000 ([SI 2000/1507](#));
- the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 ([SI 2000/693](#));
- the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007 ([SI 2007/2531](#));
- the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment No. 2) Regulations 2007 ([SI 2007/2600](#));
- the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment Regulations 2011 ([SI 2011/1307](#)).
- the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 ([SI 2011/2675](#))
- the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2013 ([SI 2013/2203](#))
- the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2019 ([SI 2019/891](#))

10.3 Other relevant legislation:

- Section 21A (Recognition of badges issued outside Great Britain) of the [Chronically Sick and Disabled Persons Act 1970](#).
- Sections 115 (Mishandling of parking documents and related offences), 117 (Wrongful use of disabled person's badge) and 142(1)(General interpretation of Act) of the [Road Traffic Regulation Act 1984](#) (provides powers to tackle parking related abuse of the scheme).

10.4 All of the above Statutory Instruments (and the Acts) can also be viewed on [legislation.gov.uk](http://www.legislation.gov.uk) the website of the Keeper of Records, managed by the National Archives <http://www.legislation.gov.uk/>