

COUNCIL CAR PARKS – CONSIDERATION OF INTRODUCING CHARGES FOR BLUE BADGE HOLDERS

1. INTRODUCTION

- 1.1 The Environment Overview and Scrutiny Panel asked the Parking Task and Finish Group to investigate and make recommendations concerning charging blue badge holders to use Council car parks. Blue badge holders currently park free of charge. This report sets out the Task and Finish Group's findings, which have been agreed by the Panel, and makes recommendations to Cabinet.
- 1.2 The general practice is that motorists who use the Council's car parks should pay for the use of the facility. The only group who do not pay to use the Council's car parks at the present time are blue badge holders. When Central Government considers the amount of grant a Local Authority should receive it assumes the Authority is maximising the income it is receiving from its assets. Car parks are a valuable asset and therefore the Council is obliged to maximise the income it receives from them, provided it does so in a reasonable manner taking into account issues such as traffic management, the commercial vitality of our towns and villages and equality. If charges were introduced the income derived could be in the region of £75,000 per annum. This income could be used to help fund the running of Council services.
- 1.3 The Equality and Human Rights Commission recently published a document reminding Public Authorities of their responsibilities. They stated that "Considering the economic climate public authorities are facing, it is more important than ever that authorities meet their statutory equality duties when making decisions, particularly those regarding finance or service provision".

Section 149 of the Equality Act 2010 ("the Act") imposes a "Public Sector Equality Duty" on the Council.

In effect the Act states that when developing proposals and making policy decisions, including those about finance and service provision, the Council must comply with its statutory equality duties. Consideration of these duties must take place as part of the decision making process before a decision is made.

Members must therefore be aware that when considering this report, they must take into account the duty imposed on them by section 149 of the Act:

"A public authority must, in the exercise of its functions, have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

Section 4 of the Act defines the protected characteristics which are protected by the provisions of the Act and disability is named as a protected characteristic.

Section 6 of the Act goes on state that a person has a disability if (a) that person has a physical or mental impairment, and (b) the impairment has a substantial and long-term adverse effect on that person’s ability to carry out normal day-to-day activities. Any person who is awarded a blue badge is most likely to fall within the definition of a person with a disability as set out in Section 6. They, therefore, have a protected characteristic and the provisions of the Act apply.

It is important that the Council, in making any decision, does not discriminate against those with a disability. The Act specifies what amounts to discrimination arising out of disability at section 15: A person discriminates against a disabled person if (a) that person treats the disabled person unfavourably because of something arising in consequence of the disabled person’s disability and (b) that person cannot show that the treatment is a proportionate means of achieving a legitimate aim.

Also, for the Council to meet its obligations imposed by section 149 of the Act and advance equality of opportunity between those with a shared protected characteristic, in this case disability, and those who do not have a shared characteristic, it must have due regard to the need to:

- (a) remove or minimise disadvantages suffered by disabled people that are connected to disability;
- (b) take steps to meet the needs of people with a disability that are different from the needs of people who are not disabled;
- (c) encourage people who are disabled to participate in public life or in any other activity in which participation by such persons is disproportionately low.

In particular, when meeting the needs of disabled people the Act confirms that the disabled persons’ disabilities should be specifically taken into account.

2. PROCESS UNDERTAKEN TO ASSIST MEMBERS IN FULFILLING THEIR OBLIGATIONS UNDER THE ACT

2.1 Consultation.

The Task and Finish group have undertaken consultations with individual blue badge holders through a survey and met with representatives of organisations which represent disabled people. Appendix 1 of this report is a summary of

the individual consultation responses and Appendix 2 is the notes of a consultation meeting held with various organisations. As well as these formal consultations, officers and members of the task and finish group had informal discussions with individuals/groups.

2.2 Completion of an Equality Impact Assessment

A key element in the process is the completion of an equality impact assessment. This assessment was completed using the Council's standard format. This is designed to ensure that all aspects which are required to be examined under the Act are properly considered. The assessment for the proposal under consideration is set out in Appendix 3.

2.3 Access Specialist Report

The advice of a specialist in the provision of access and equality arrangements for disabled people was sought. This advice was centred around physical access to payment methods should blue badge holders be required to pay. An executive summary from the specialist is set out in Appendix 4.

The advice/information provided by the specialist forms a key element in the equality impact assessment and helps the Council meet its legal obligations concerning equality issues. The access specialist has provided a template which the Council can use when assessing each car park to ensure it meets its accessibility obligations.

3. UNDERLYING PRINCIPLES OF CHARGING BLUE BADGE HOLDERS

3.1 Taking into account the Council's duties under the Act, the Task and Finish group believed that, overall, it was fair that blue badge holders should pay for parking in the same way as all other motorists. However, this can only be achieved if blue badge holders are given equal opportunities to pay for and use parking facilities and are not disadvantaged. Achieving this is an expensive and complex task which is considered further in this report. However, it is clear that blue badge holders cannot be charged until equality of use and access has been achieved

4. SUMMARY AND ANALYSIS OF EVIDENCE

4.1 Process

In order to ensure the Council meets its obligations under the Act and acts fairly and reasonably to those who do and do not possess the blue badge the following processes were undertaken:

- An equality impact assessment was completed (Appendix 3)
- An on line consultation was undertaken (Appendix 1)
- A meeting was held with groups representing blue badge holders (Appendix 2)
- The advice of an independent access adviser was sought.

4.2 Equality Impact Assessment

The impact analysis does reveal a high impact on blue badge holders, but also sets out how any adverse impacts can be mitigated. However, the necessary actions to mitigate the adverse effects would need to be undertaken prior to any charges being introduced.

Three groups, Age Concern, the New Forest Disability Information Service, and New Forest Access for All Charity were each sent copies of the Equality impact Assessment for comment. A number of comments were received from the New Forest Access Charity. Where the comments related to equality issues they were included in the Equality Impact Analysis. The comments that did not relate to equality were not included. These are summarised, together with the reasons why they were not included, in Appendix 5.

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4.3 Online Consultation (Appendix 1)

In total, 251 responses were received and there was a noticeable difference in the responses between blue badge holders and non-badge holders. 86% of existing badge holders were against charges being levied compared to 28% of non-badge holders. Some 31% of badge holders felt that they would not be able to gain access to pay and display machines. The New Forest Access for All Charity felt that the figures were questionable because only 40% of the total returns were from people with no vested interest (Blue Badge Holders/helpers/carers) and that only those with first-hand experience can make a valid comment.

4.4 Meeting with interested groups (Appendix 2)

Key considerations included the problem of access to pay and display machines; that many disabled people need additional time to carry out visits compared to people without disabilities; and the very wide range of disabilities which qualify for a blue badge. Concern was expressed that, because many disabled people were on low incomes, the introduction of charges would mean they were unable to afford to use their vehicles.

4.5 Advice from access specialist (Appendix 4)

The key element that the Council needs to overcome is to ensure reasonable access to pay and display machines in compliance with BS 833:2009. Other important requirements include signing, information and suggestions were made concerning the size of accessible bays.

In the past the Council has always worked to the guidance given in Traffic Advisory Leaflet 9/95 which states that 5% of spaces should be allocated for badge holders. The guidance also gives recommendations concerning the size of accessible bays. However the access specialists and comments from the New Forest Access for All group suggest that the Council should work to be more up-to-date and comply with the better researched guidance set out in BS 8300 2009. This recommends that 6% of total capacity should be allocated for visiting disabled motorists (blue badge holders). Given this, the Council will work towards achieving the 6% allocation level and make improvements to the layout of accessible bays.

4.6 Analysis of evidence

The consultations and research undertaken clearly indicate that if charges are to be introduced the correct infrastructure relating to pay and display machines, signage and other payment methods must be in place. Given the vast majority of the Council's existing machines were installed in 2004, prior to

the recommended 2009 British Standards being published, existing facilities do not meet the required standards for access.

The extent of displacement parking cannot be accurately assessed; however, it is reasonable to assume that displacement parking will take place, with additional blue badge holders parking on the highway in locations where they are entitled to do so.

5. MEETING THE CHALLENGES SET OUT IN THE ACTION PLAN OF THE EQUALITY IMPACT STUDY.

5.1 Pay and Display Meters

Pay and display machines which serve accessible spaces i.e. those which serve bays marked out for use by badge holders, will need to be replaced with models that comply with BS8300:2009 i.e. have all controls at a height between 750mm and 1200mm to make them accessible. It is estimated that in order to achieve this, approximately 49 machines will need to be replaced. In addition to this 31 machines which do not directly serve accessible bays, will need to be repositioned in order to meet BS8300:2009. The majority of the existing pay and display machines were purchased in 2004, some 5 years prior to BS8300:2009 being published.

At the present time the Council's machines are still proving reliable and not in need of immediate replacement. However, the pay and display ticket machines will require replacing in the future. It is estimated that their economic working life would be no more than 15 years. Machines in coastal amenity car parks will have a slightly shorter working life due to the effect of salt corrosion, and it is estimated that their working life will be no more than 12 years. Section 8 of this report sets out the financial implications of replacing the pay and display machines.

5.2 Additional Time required

From the consultations that have been carried out it has become clear that one of the main problems encountered by blue badge holders when parking relates to the fact that it takes them longer to make visits/attend appointments. In order to overcome these concerns those displaying a valid blue badge could be allowed to wait for an additional hour beyond the time paid for, i.e. a one hour ticket, costing £0.80p would purchase two hours' parking, provided a valid blue badge was displayed.

5.3 Paying by Phone.

There may be some blue badge holders who would find it easier to pay by phone than to use a Pay and Display machine. Following discussions with our service provider it is possible to set up an option to allow blue badge holders to use a designated tariff which would mean they did not pay the normal 20p service charge and have the additional 1 hour time allowed. Comment was made by our access advisors that there was a lack of information on the Council's web site about pay by phone and signage in car parks should be clearer. These concerns will be addressed. The New Forest

Access for All Charity did comment that few people use the pay by phone option at the moment. The Council believe this is due in the main to the popularity of the clock scheme rather than a reflection on the phone payment facility offered by the Council.

5.4 Blue badge holders choosing to park free of charge on the highway instead of parking in Council car parks.

There will be some displacement of parking from car parks to the highway. National regulations allow blue badge holders to park free of charge on double or single yellow lines provided there are no loading/unloading restrictions and they do not cause an obstruction/danger. If blue badge holders choose to do this in significant numbers it could cause traffic management problems, particularly in busy high streets. Enforcement staff will check to ensure badges are correctly displayed. However, it is the responsibility of the Police to deal with situations where blue badges are correctly displayed but the vehicle is parked in such a way as to cause an obstruction or danger to other road users. It is not possible to quantify the extent of this potential problem, but it could be significant.

5.5 The Council's clock parking scheme

It is anticipated that if charges for blue badge holders are introduced the council's clock parking scheme would be of great assistance. The scheme is used for in the region of 70% of all parking acts at the present time because of its convenience and low-cost - 40 pence a week for short stay parking and £2 per week for long stay. Given that the clock is pre-purchased, it avoids the need to access pay and display machines or use the phone. This, combined with its comparatively low-cost, is likely to be of considerable assistance to blue badge holders should charges be introduced.

5.6. Financial implications to blue badge holders

During consultations concern was expressed by some badge holders that paying to park in Council car parks would cause financial hardship and reduce their ability to gain access to locations. The task and finish group felt that charges did not disadvantage disabled people any more than the non-disabled on low incomes. The Council's charges are in fact very low, particularly if the clock scheme is used. This provides short stay parking at a cost of 40p a week and long stay parking at a cost of £2 a week. These low costs help mitigate concerns about the cost of parking. Providing an additional hour at no extra cost to Badge Holders, as set out in 5.2, will mean that additional costs are very unlikely to be incurred by Badge holders because they require more time to undertake some activities.

6. SIGNING

- 6.1 Prior to charging being introduced signage would need to be amended and additional signs provided. This would include:
- Informing motorists that blue badge holders should pay at the entrance to car parks;
 - Placing tariff information at a height that can be read by those in a wheel chair;
 - Providing greater information concerning payment by phone, paying attention to font sizes; and
 - Information concerning the additional time allowed for blue badge holders
- 6.2 In order to convey this information it may be necessary to place large information boards adjacent to all pay and display machines. Although no detailed design work or costing has been undertaken at this stage it is envisaged that resigning all 46 charged car parks will cost in the region of £9,350. If it was decided to phase in charging for blue badge holders, for budget purposes it would be reasonable to pro rata this cost per car park.

7. ARRANGEMENTS FOR LONG STAY PARKING BY BLUE BADGE HOLDERS IN SHORT STAY CAR PARKS

- 7.1 In order to assist compliance with waiting restrictions in short stay car parks, pay and display machines do not issue tickets for periods beyond the waiting restrictions that apply to the car park concerned. At the present time this does not cause a problem to blue badge holders because they are not subject to charges or waiting restrictions. If charges were to be introduced, consideration needs to be given to how to provide long stay parking for badge holders. This can be achieved as follows:
- Ensuring that the District of New Forest (Off Street Parking Places) Order 2005 is amended in such a way as to exempt vehicles displaying a valid blue badge from short stay waiting regulations
 - When new ticket machines are installed which comply to BS 8300:2009 ensuring that they have provision for blue badge holders to purchase long stay pay and display tickets at normal tariff prices.

8 FINANCIAL IMPLICATIONS

- 8.1 The cost of introducing charges for blue badge holders is set out in the following table. The figures are for budget purposes. Detailed costing/design work has not been undertaken.

<i>ITEM REQUIRED</i>	<i>CAPITAL ONE OFF COST</i>
<i>New Machines</i>	<i>£245,000</i>
<i>Repositioning Existing</i>	<i>£5,650</i>
<i>Signs</i>	<i>£9,350</i>
<i>Total</i>	<i>£260,000</i>

- 8.2 Income from pay and display charges, if normal income levels per bay are achieved, would be in the region of £60,000 a year. The additional income from clocks needs to be added to this figure. This can only be calculated by making the following assumption: Given that in the region of 10,000 blue badges are issued to those who live with postcodes within the District and that 35% of blue badge holders (information from online consultation) state that they would pay by clock, it is reasonable to assume that if these blue badge holders purchased the short stay clock, an additional income in the region of £56,000 (net of VAT) would be generated. This would give a total additional income of £116,000.
- 8.3 However, when estimating future income a substantial margin has to be built in as a "margin of variation". This is because it is not possible to calculate the displacement which may take place if disabled drivers choose to park on the road, or the financial effects of providing additional time to blue badge holders. Given the unknown factors and the need to build in a variance of error it would be prudent to reduce the potential income figure of £116,000 by 35%, for budgeting purposes and assume an additional income in the region of £75,000.
- 8.4 Based on estimated introduction costs of £260,000 and assumed additional income of £75,000 this would result in a scheme payback of 3.5 years.

9. RISKS

- 9.1 There are 4 areas of risk which need to be taken into account when considering which option to recommend, namely:
- The likelihood of the displacement of blue badge holders from Council car parks to the highway
 - There are a number of factors which may mean income is less than expected including displacement, reduced income because blue badge holders are given extra time and consumer resistance.
 - Even if the Council complies fully with its duties under the Act, there is always the possibility of legal challenge, although the Council would put forward a robust defence to any such challenge.
 - The range of disablement of those who hold blue badges is very wide, and it is not possible to say with absolute certainty that all have been catered for.

10. PORTFOLIO HOLDER'S COMMENTS

- 10.1 I support the recommendations made in this report. The Task and Finish Group appointed to undertake this review has been meticulous in their approach, given the potentially sensitive nature of the issue. We are all aware that we live in difficult financial times. In the context that this Council's residents have now benefitted from three years without Council Tax increase, I believe it is fair to expect that all car park users, including blue badge holders, should make the same contribution towards our car park operating costs. I feel that at 40 pence per week for a short stay clock, coupled with the extra time we propose to allow blue badge holders, that we have been fair in our appraisal and conclusions.

11 RECOMMENDATION FROM THE ENVIRONMENTAL OVERVIEW AND SCRUTINY PANEL

11.1 That it be a recommendation to Council that:

- (i) That, having undertaken extensive research and consultation, and particularly in the light of the modest cost of parking clocks at 40 pence per week for short stay parking and £2 per week for long stay parking, it can be concluded that the introduction of car parking charges for the holders of Blue Badges would not disadvantage this group of the local population compared to the general population living in and visiting the District, and accordingly charges should be introduced;
- (ii) That an amendment to the District of New Forest Council (Off Street Parking Places) Order should be advertised, proposing that Blue Badge Holders be charged for using New Forest District Council off street charged car parks, but on the basis of allowing them further time as explained in paragraph 5.2 and exempting them from short stay waiting restrictions as set out in paragraph 7.1; and
- (iii) That if, after undertaking the statutory consultations and gaining the consent of the Highway Authority, the District of New Forest Council (Off Street Parking Places) Order 2005 is amended in due course to introduce charges for the holders of blue badges, then funding of £260,000 be sought, at an appropriate time, to provide the necessary equipment, signs and alterations.

For further information contact:

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or

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Chairman, Parking Task and Finish Working Group
E-Mail: goff.beck@newforest.gov.uk

Background Papers:

Attached or published documents

**Blue Badge Scheme charging consultation
 August/September 2012**

Should blue disabled badge holders be charged
 to park in council car parks?



RESULTS

Question: Do you believe that Blue Badge holders should pay for parking in council car parks?

	All		Vested interest		No vested interest	
	Number	%	Number	%	Number	%
Yes	92	37%	21	14	71	72
No	152	61%	125	86	27	28
Not sure	7	3%				
Base	251		146		98	

Question: If charges were introduced, how would you pay to park?

	Number	%
Using the council's parking clock - annual short stay clock (3hrs) cost £20 or annual long stay clock cost £100 per year	42	35%
Payment by mobile telephone (there is a 20p charge for this service)	1	1%
Purchasing a 'pay and display' ticket from a machine in a car park	49	41%
Base	119	

Question: From what you know of the council car parks, do you believe you would be able to use/gain access to the 'pay and display' ticket machines?

	Number	%	Number	%
Always	7	6%	7	7%
Mostly	24	21%	24	24%
Sometimes	28	24%	28	28%
Rarely	23	20%	23	23%
Never	18	16%	18	18%
Don't know	15	13%		
Base	115		100	

Question: Does your disability mean that your vehicle needs to be parked for longer than would be required by someone who has no mobility impairment?

	Number	%
Always	52	44%
Sometimes	57	48%
Never	9	8%
Base	118	

CONSULTATION MEETING - PROPOSAL THAT BLUE BADGE HOLDERS SHOULD PAY TO USE NFDC CAR PARKS**18 OCTOBER 2012 - 14:00PM - COMMITTEE ROOM 1, APPLETREE COURT****PRESENT:**

Cllr G Beck
Cllr M Southgate
Cllr A Glass
Cllr Mrs C Ward
John Bull, Parking Manager, NFDC
Glynne Miles Head of Customer & Financial Services, NFDC
Rosemary Young, Secretary, NFDC
Mike Cundill NF Access for All
Joan Cundill NF Access for All
David Livermore, NF Access for All
Ken Hubbard, NF Access for All
Mary Lewis, NF Access for All
Val Rawlings, NF Access for All
Dorothy Davies NF Access for All
Jacki Keable NF Disability Information Service
Jean Adams, Age Concern

1. INTRODUCTION

Cllr Beck welcomed everyone and advised that the object of the meeting is to gain the Groups views and ideas regarding charging Blue Badge holders to use NFDC Car Parks. This invaluable information will assist the Council in making a decision whether or not to introduce charges.

After introductions John Bull explained that an equality impact assessment and a consultation had to be undertaken prior to a decision being made. There were 3 key questions that needed to be discussed as part of the impact assessment namely:

- What negative/disproportionate impact will this proposal have?
- What positive impact could this proposal have?
- From your understanding what steps could the Council minimise any negative impacts?

Before considering these questions Joan Cundill (NF Access for All) made the following points

- The group were very grateful to be asked to attend this meeting, but wished to know where NFDC stood on the issue. Cllr Goff Beck replied that NFDC had not yet made a decision. John Bull added that it was hoped to report to panel later this, early next year however it was a complex issue and it was more important to get the process and decision right rather than be tied to a ridged timetable.
- Various aspects of the web survey were discussed and it was agreed that a copy of the survey would be sent to each of the groups attending.
- The Council's transportation policy was brought to the attention of the meeting and the comment made that the proposal to charge blue badge holders to park was not in accordance with that policy.

2. CONSIDERATION OF QUESTIONS

- **What negative/disproportionate impact will this proposal have?**

Not all those with severe mobility problems have someone to assist them; the imposition of charges to this group would cause particular problems because of the difficulty that they will experience in purchasing tickets from a machine;

Access to Pay and Display Machines

- The problem of gaining access to a ticket machine was discussed. For example some Blue Badge holders have to unload and assemble their wheelchair/scooter prior to purchasing a ticket and then have to dismantle their scooter and load it back into their car; this just to enable them to park and look at the views from coastal car parks.
- Blue Badge holders cover a wide spectrum of mobility impairment and ticket machines would have to be accessible to this wide group including wheelchair users, and those using various walking aids.
- There was general consensus that it took Blue Badge holders longer to undertake tasks and therefore some allowance for this should be given.
- Cllr Beck asked should the charges come in what would the group say should be the minimum length of stay, reply was this was not possible to specify, but in general people with disabilities took longer to carry out any task, particularly shopping and allowance needed to be made for this. This is to allow people extra time to go about their activities.
- A number of people at the meeting commented that many Blue Badge holders were in financial difficulty and not having to pay parking charges was of considerable help. Having to pay for parking would restrict their ability to get out. It was commented that particularly at the moment financial difficulty was not confined to the disabled but experienced by a wide group of people.
- The comment was made by several people that if the proposal to charge was adopted, it would affect the most seriously disabled the greatest. This is because this group of people have to use car parks as they have larger designated bays suitable for those who use wheelchairs/scooters. Those with lesser disabilities have the option to park free of charge on-street as they do not need the extra space and will not have the problems of using the parking meters etc.
- Although difficult to assess the numbers involved, it is likely that there will be a displacement of Blue Badge Holders from car parks to the highway. This is particularly significant given blue badge holders can wait up to 3 hours on yellow lines which may cause additional traffic problems in busy high street areas.

- **What positive impact could this proposal have?**

- The comment was made that more spaces may become available for disabled people as there is likely to be a greater turnover of vehicles if charges introduced.
- **From your understanding what steps could the Council take to minimise any negative impacts?**

- Blue Badge holders should be given additional time in terms of waiting restrictions and tariffs
- Offer disabled rate payers a free parking badge
- Review all disabled parking space on street and make accessible to all
- Meters need to be near to bays and accessible
- Purchasing a parking clock means a ticket does not have to be purchased from a pay and display machine
- Pay By Phone could be used by the casual visitor to avoid the need to access a Pay and Display machine, although only 1% of respondents to the consultation said that they would use this method

3. ADDITIONAL COMMENTS

The importance of having sufficient dedicated disabled bays of the correct size was discussed.

Of particular concern was the need to have space at the rear of a vehicle. Modern scooters/self propelled wheelchairs have become much larger requiring ramped access from the rear in the region of 3 meter clearance. Particularly on street disabled spaces did not provide for this. As a result those requiring this type of wheelchair will still have to use car parks if charges were introduced whilst others could park on the street.

Comment was made that the expected income to be derived, in the region of £40,000 was very small compared with the overall council budget. The benefit of the financial gain compared with the problems that would be caused to disabled people was questioned.

The new regulations concerning the issue of blue badges combined with the better security printing on the badges themselves should in the long term result in less misuse of the badge scheme. This in turn could result in more people paying to park in Council car parks. However John Bull commented that badges were issued for a 3 year period and only a very small percentage of those issued badges under the non automatic categories would be asked to undergo a mobility assessment. Given these factors in practice it was unlikely that there would be a significant reduction in the number of badges issued in future years.

Joan Cundill commented that she understood 18% of non-tax exempt Blue Badge holders were being called for an Independent Medical Assessment, IMA. Presumably some will also be refused on the basis of the information they provide on the application form.

It was commented that some of the local authorities that charge Blue Badge holders make an exception for those who receive the higher rate mobility component of the disability living allowance which means they do not pay road fund tax. John Bull explained that following information issued by the Department of Transport and recently received legal advice it is clear that to differentiate and categorise blue badge holders in such circumstances would be contrary to the Equality Act 2010. Only one District Council in Hampshire charged non-tax exempt blue badge holders to Park, however, several Dorset districts do so. A number of the Dorset districts have complex regulations concerning the issue of district wide permits, to try and ensure that they comply with the equality act 2010.

Cllr Beck stated there is no thought of removing spaces for disabled in the New Forest District.

A comment was made that some Blue Badge holders wouldn't begrudge paying something. Possibly in the form of an increase to the Blue Badge fee which could incorporate parking fees.

A comment was made that if NFDC go ahead, a meeting to discuss what concessions will be offered to Blue Badge holders should be held as there were serious concerns with the equalities' aspects of the proposal.

Members of the Task and Finish group thanked all for attending; the views and ideas expressed were invaluable in helping the Council formulate its policy concerning whether or not to charge blue badge holders for parking.

EQUALITY IMPACT ANALYSIS (EIA)

Introduction:

The EIA it is an effective way of improving decision making, policy development and service delivery by making sure that managers consider the needs of all service users, the community and employees. It is also designed to identify potential steps to promote equality and good relations and avoid unintentional discrimination.

Please ensure you read the guidelines before completing this form.

Document Management

Service:	CUSTOMER SERVICES
Business Unit:	PARKING
Manager:	JOHN BULL
Title:	PARKING MANAGER
Due date:	
Name of group(s) consulted on draft version:	On-line consultation questionnaire, meeting held with local disability support groups.
Date published:	
Review date:	

1. What is the overall purpose and aim of *the* proposal?

The main purpose of the proposal is to consider introducing charges for Blue Badge holders in Council off street car parks.

2. What are the main aspects of the proposal where consideration of equality impacts and issues need to be incorporated?

To what extent will charging in Council car parks, particularly the necessity to show payment, adversely affect blue badge holders from using council car parks and gaining access to facilities.

3. Relevance Assessment - which group(s) of people (if any), do you think will, or potentially can be, affected by this proposal? Please state your reasons.

Blue Badges are issued to those who do have a severe mobility impairment or a condition which requires that they park close to a facility they wish to visit. This proposal will impact significantly on Blue Badge holders as they currently park free of charge.

This proposal will affect the most disabled disproportionately as they need the extra room in the car parks to unload equipment and are less able to make use of on-street free parking such as double yellow lines. This group of people does not have the alternative choices of other groups, e.g. public transport, walking, cycling .

Please indicate if you think the impact is none, low, medium or high?

Age	Gender	Belief	Disability	Race	Sexual Orientation	Marriage/Civil partnership	Race	Mater nity
Low	none	none	High	none	none	none	none	none

Detailed Assessment

In relation to Disability what do you know about the people who use your service/s?

What evidence do you have and how does this compare to the profile of residents?

There are approximately 71,985 households in the district and 10,200 current blue badges issued to addresses within the District .It is estimated that there are region of 2.5 million badge holders in total. The number of Blue Badge holders is expected to reduce due to the new rules for issuing blue badges. It is not possible to gage the extent of this reduction but it is likely only to be a small percentage of the total badges issued.

What negative/disproportionate impacts will this proposal have on Disabled people?

- Those with the greatest mobility impairment may find the process of paying for parking difficult, particularly if it is necessary to purchase a ticket from a machine. This could result in some disabled people not being able to gain access to facilities and result in greater social isolation.
- Those with mobility impairment, as a general rule, need more time to undertake tasks. Charging time bands and waiting restrictions may mean that those with mobility impairment are unable to undertake tasks within the preset times which would normally be sufficient for those with no mobility impairment.
- It has been stated that many blue badge holders are more likely in financial difficulty and less likely to be in paid work and if charges were introduced some would not be able to afford to park and therefore not able to gain access to facilities and result in greater social isolation.
- A negative impact to the whole community could result from problems of displacement parking. Blue badge holders who currently park in car parks may choose to park on yellow lines, where permitted, on the highway. This may cause traffic management issues.
- Blue badge holders are entitled to and may park all day at on-street 'time-restricted parking' areas. Traders will suffer as non-disabled shoppers will find it more difficult to park for just a few minutes, particularly elderly people who do not qualify for a blue badge.
- Many disabled drivers obtain enormous pleasure from parking on cliff top or in other amenity car parks. Under the present arrangements, to use these car parks it will be necessary to purchase a annual long-stay council parking clocks or pay at the meter or

<p>use payment by phone. This may have a significant impact on the health and well-being of an already disadvantaged group of people.</p>
<p>In seeking to advance equality, promote good relations and improve access, what positive impacts could this proposal have on Disabled people?</p>
<ul style="list-style-type: none"> • The introduction of charges for badge holders may decrease the amount of abuse and therefore may increase the availability of spaces for disabled people. • Charging will encourage a greater turnover of vehicles in designated blue badge parking spaces and therefore increase parking opportunities. • The income received will contribute towards the cost of running Council Services; this will benefit all residents of the District including Blue Badge Holders. .
<p>On the evidence you do have, if there is an <u>adverse impact</u>, what steps will be taken to remove/minimise it? Please complete the Action Plan.</p>
<p>See Action Plan</p>
<p>How will you know if the agreed actions have had the desired results? What monitoring and performance measures/indicators will be reported?</p>
<p>Undertake survey of use of designated disabled bays in car parks; consult with the same groups as prior to introduction of charges.</p> <p>Monitor the level of complaints received.</p> <p>.</p>
<p>Who has been consulted with on this EIA and what were the comments made?</p>
<ul style="list-style-type: none"> • An online survey was undertaken there were 2051 responses. A summary of these is set out in appendix A of this analysis. • A consultative meeting was held with the following groups: Age Concern (New Forest), New Forest Access For All Charity, New Forest Disability Information Service. Appendix B is a summary of the comments made by these groups.
<p>Any further comments:</p>
<p>A survey, to which 255 people responded, revealed that 86% of those with Blue Badges believed parking should remain free to badge holders, 72% of non badge holders believed charges should apply.</p>

Action to be taken as a result of the Equality Impact Analysis

Details of Issue	Action to be undertaken	Date due
Pay and Display Meters	The vast majority of ticket machines in the Councils car parks are Parkeon Stelio Pay and Display Machines most purchased in 2004. These are not compliant to the BS8300:2009 which sets out guidance on the specification for Pay and Display machines to be accessible for Disabled people. If the Council wished to introduce charges for Blue Badge Holders, in the region of 49 machines would need to be replaced, although it may be possible to have a phased approach. Machine locations would also have to be amended to ensure mounting at ground level with no obstructions. This will assist blue badge holders to park in town and Amenity (coastal) Car parks.	If charges introduced prior to that date
Additional time required to undertake visits	Those displaying a valid Blue Badge to be given a additional hour on top of time purchased from a Pay and Display machine/phone and an additional hour to be added to the maximum waiting time if parking by clock. The amount of extra time required will vary from car park to car park depending on the activity to be undertaken however it is felt an additional hour is reasonable to compensate for this.	If charges introduced prior to that date
Access to Pay and Display Machines for those with severe mobility impairment.	The Council's clock parking scheme avoids the need for a ticket to be purchased from a machine. They are purchased in advance and are valid for a year. Clocks provide parking at a cost below that provided through a pay and display machine. For those who are casual visitors or do not wish to purchase a clock parking can be paid for by phone .In order that Blue badge Holders are not disadvantaged Council would absorb the service charge (20p) currently charged to users of the pay by phone facility. This would require amendments to the existing pay by phone menu options and procedures. For those with upper limb disabilities the use of BS8300:2009 machines together with phone parking/clocks should provide reasonable access to facilities to pay to park.	If charges introduced prior to that date

<p>Displacement of Blue Badge Holders to the Highway</p>	<p>Blue Badge Holders can park for up to 3 hours on single/double yellow lines provided no loading restrictions are in place and they do not cause an obstruction. Badge holders can also park for unlimited periods in time restricted parking spaces. There is a likelihood that some badge holders will park on street should charges be introduced. This has the potential to cause some traffic management concerns in critical locations. Enforcement officers will undertake spot checks to discourage illegal parking by Blue Badge Holders</p>	<p>After any introduction if charges introduced.</p>
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CE ACCESS EXECUTIVE SUMMARY

Brief Description of How Work Was Undertaken

CE Access was employed by the New Forest District Council to provide advice relating to the access issues surrounding the potential introduction of charges for Blue Badge holders in the Council operated car parks. The following work was undertaken:

- A review of the papers prepared to date by the Council. This involved reviewing the Equality Impact Analysis (EIA), Parking Task and Finish - Report Considering the Introduction of Charges for Blue Badge Holders to Use Council Car Parks, the outcome of consultation meetings.
- A review of car parking pay and display technology.
- A review of the parking clock system and the phone-based "Pay to Park" scheme.
- An access audit of nine Council car parks in the New Forest
- The production of a guidance template, based on BS8300 2009 Design of buildings and their approaches to meet the needs of disabled people, which provides guidance on how to ensure all car parks operated by the Council are accessible for disabled people

Signage

BS8300 2009 states that "A sign or, if appropriate, signs should be provided at the entrance to each car park and at each change in direction to direct disabled motorists to designated parking spaces."¹ The same guidance further states that "Information, including payment terms, should be provided at the entrance to a car park to make it clear whether or not free parking is available to disabled motorists."² CE Access would recommend that clear signage reflecting the above is located at the entrances to all car parks.

Signage should be clear and unambiguous. The character size of each letter should be no less than 150 mm.

During the course of our work we could find no information on the New Forest District Council website about the telephone parking arrangements. In addition the stickers on the pay-and-display machines are small and could be difficult to read. It is recommended therefore that:

- information about telephone parking arrangements is placed on the Council's website
- that new signage explaining telephone parking arrangements is produced in a larger font size (BS8300 2009 recommends a minimum size of 15 mm – 9.2.2 Table 4) and positioned adjacent to the ticket machines

Parkeon Stelio Parking Ticket Machine

The Parkeon Stelio parking ticket machine is used extensively within the New Forest District Council to collect payment for parking at all of the council owned and run car parks.

¹ BS8300 2009 4.4.2

² BS 8300 2009 4.4.4.1

The Parkeon Stelio ticket machine is constructed so that when installed at its lowest possible configuration it still cannot meet the requirements to be classed as accessible for wheelchair users as outlined in the latest recommended guidance: British standards document BS8300 2009. The main reason is that the coin slot will be at a minimum height of 1209 mm from the floor.

Availability of Accessible Parking Ticket Machines

Where there are accessible car parking spaces they should be located near to the principal entrance of the car park. The provision of at least one accessible parking ticket machine in close proximity to the parking spaces is required to meet the guidance as outlined in BS 8300 2009.

Where there is more than one parking ticket machine in a car park, provided that the ticket machine that is closest to the accessible parking spaces complies with the recommended guidelines for a wheelchair accessible ticket machine, any further parking ticket machines can have dimensions of between 1000mm and 1400mm for any slots, controls and slots for coins or cards.

This means that where one accessible parking ticket machine is provided any existing Parkeon Stelio ticket machines that are not associated with accessible parking spaces do not need to be replaced in order to meet the requirements of the Equality Act 2010 as the Parkeon Stelio has dimensions that fulfils these requirements.

Accessible Parking Bay Provision

British Standards document: 8300 2009 states "For shopping, recreation and leisure facilities, the minimum number of designated spaces should be one space for each employee who is a disabled motorist, plus 6% of the total capacity for visiting disabled motorists. A further 4% of the total capacity should be enlarged standard spaces".

The British Standards document: 8300 2009 is the most current official guidance, based on the latest research.

It should be noted that the numbers of designated spaces might need to be greater at venues that specialize in accommodating groups of disabled people.

Disabled people may sometimes need to have assistance to get into and out of the vehicle. Wheelchair users sometimes have a rear hoist fitted to the vehicle to assist them to get their wheelchair into and out of the boot. For this reason extra space is needed at the sides and to the rear of the vehicle. BS 8300 2009, 4.2.3 provides a diagram with measurements to illustrate the minimum dimensions and road markings required to provide an accessible parking space.

During the access audits of selected car parks it was noted that the distribution of accessible car parking spaces was centred around the ticket machines at the main entrance to the car park. Whilst this is good practice, in the larger car parks it would improve accessibility further to provide additional accessible parking spaces close to any ticket machines that are away from the main entrance but may be close to an alternative pedestrian exit.

Locations of Parking Ticket Machines

In certain instances the ticket machines that are associated with the accessible parking spaces have been placed set back on the verge or on a raised section of pavement. This makes the ticket machine harder to reach as wheelchair users are required to lean forwards to reach the controls. When the verge is raised by the height of the kerb, or the ticket machine is placed on a raised plinth, it also increases the height of the controls from the car park surface, making the controls further out of reach. It is recommended that these ticket machines are relocated so that they are approachable without obstruction from the front and that the controls are set at a height in accordance BS 8300 2009. 4.4.4.3

Occasionally ticket machines are located behind car parking spaces where the pedestrian access is between two parked cars. This makes it particularly difficult for people with mobility problems and wheelchair users to access the machine. Positioning of ticket machines behind car parking spaces without a clear path of access should be avoided.

COMMENTS RECEIVED FROM NEW FOREST ACCESS FOR ALL CHARITY CONCERNING THE EQUALITY IMPACT ANALYSIS WHICH WERE CONSIDERED BUT NOT INCLUDED IN THE ANALYSIS

Comment: There may also be a negative impact on the local economy.

The choice of whether or not to pay for parking applies to all motorists and is not specific to Blue Badge Holders, is not felt to be an equality issue.

Comment: Blue badge holders who could previously park free in the street will have to pay to access streets which have been pedestrianized.

Prior to any highway area being pedestrianised the needs of the disabled/disabled parking have to be taken into account by the Highway Authority.

Comment: What evidence is there to support this assertion? (that charging Blue Badge Holders will create more parking opportunities.)

Parking opportunities would be increased if the council provided 6% disabled parking spaces, as recommended. It is a generally accepted norm that if motorists are charged for parking, dependant on the tariff structure, they will park for a shorter period, increasing parking opportunities. Increasing the number of accessible bays is discussed in section 6.5 of this report.

Comment: The cost involved in changing machines is considerable. If the scheme is considered inequitable and a legal challenge is successful, these costs may never be recouped.

This is not an equality issue. The financial implications are set out in section 7 of this report. The machines replaced would have to be replaced in the normal course of events whatever the outcome of the proposal to charge Blue Badge holders.

Comment: There will also be cost incurred if the spaces and the on-street parking are to be monitored adequately.

This is not an equality issue but monitoring will take place within existing patrols.

Comment: Will there be special arrangements for tourists visiting the area

The changes required to assist Blue Badge Holders to pay for parking are intended for all users of the car parks.

Comment. Although 72% of non-badge holders believed charges should apply, the proportion responding was relatively much lower than the Blue Badge holders. The presentation of the results in this way is misleading. One has to take account of how informed non-badge holders are about the issues of disabled parking to draw any conclusions as to the validity of their comments. It can be an emotive subject to many, but you have to have first -hand experience to make valid comment.

The proportion of Blue Badge holders that responded to the consultation is higher than non blue badge holders and their views and concerns have been fully considered. However, the views of non badge holders are also important and need to be taken into account.