

Concessionary Travel: Blue Badge Policy

1. Purpose

The Department for Transport (DfT) is responsible for the legislation that sets out the framework for the Blue Badge Scheme. Local Authorities are responsible for the day-to-day administration and enforcement of the Scheme.

This document outlines the Council's approach to the assessment of Blue Badge applications; and aligns with the national [Blue Badge Scheme Guidance](#), published in May 2022.

This document will be reviewed and updated as and when there are changes to the national guidance.

2. Overview

The Blue Badge (Disabled Persons' Parking) Scheme was introduced in 1971 under Section 21 of the Chronically Sick and Disabled Persons Act 1970 ('the 1970 Act'). The national guidance was last reviewed, updated and published in May 2022.

The Scheme aims to help people with severe mobility problems caused by visible and non-visible ('hidden') disabilities to access goods and services, by allowing them to park close to their destination. The Scheme provides a national range of on-street parking concessions to Blue Badge holders - enabling them to park without charge or time limit in otherwise restricted on-street parking environments; and allows them to park on yellow lines for up to three hours, unless a loading ban is in place. There is a [list of concessions](#) given to Blue Badge holders in England

Information and guidance about where you can park in Newham using a Blue Badge can be found online at [Parking with a Blue Badge](#).

The scheme is open to eligible people irrespective of whether they are travelling as a driver or as a passenger.

3. Eligibility of Applicants

The Council adopts the national eligibility criteria, outlined below. A Blue Badge will not be issued to applicants who does not meet one of the criteria set out in the legislation which governs the scheme.

The council carries out identify, residency and eligibility checks on all applications.

There are two types of eligibility criteria for a Blue Badge:

- Type 1 – eligible without further assessment (previously known as 'automatic')
- Type 2 – eligible subject to further assessment (previously known as 'discretionary')

Type 1: 'Eligible without further assessment'

People who may be issued with a Blue Badge without further assessment are those who are more than three 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); and / 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.
- receive a grant from an integrated care board for vehicle provision (specifically - you are 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)

Type 2: 'Eligible subject to further assessment'

People who may be issued with a Blue Badge subject 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; or
- a person who may be at risk of serious harm when walking - or pose, when walking, a risk of serious harm to any other person.

Armed Forces Independence Payment (AFIP) awards are not included in the type 1 eligibility criteria. 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.

The disability experienced by the applicant must endure for at least three years within any of the above types of difficulty.

If it is not self-evident to the Council, on the information available to them, from the applicant and / or a Health or Social Care practitioner, if the applicant falls within these descriptors, then a referral will be made to an expert assessor for certification.

In addition, children under the age of three may be eligible for a Blue 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; and / or
- 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.

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).

4. How to Apply for a Blue Badge in Newham

Newham residents can apply for a [Blue Badge online](#) following the online guidance.

Applicants should answer all questions as fully as possible and provide any supporting evidence requested as soon as possible to ensure the process is dealt with in a timely manner.

Once the application is complete and any supporting documents have been obtained, the application will be assessed and the applicant will be advised whether or not they qualify for a Blue Badge. Residents will be notified by email. It is advised residents awaiting an email check all spam folders.

The Council assess eligibility is in accordance with the [national guidance](#):

5. Fees

When applying for a Blue Badge or renewing an expired one, it will cost the applicant a £10 administration payment. The applicant will be contacted to process the payment once the Blue Badge is approved. The Blue Badge can be awarded for any length of time up to a maximum of three years.

The same cost will be applied to any replacement Blue Badges required.

There is no charge for a Blue Badge awarded to a person with a life limiting illness.

6. Re applying

If an applicant is unsuccessful in their Blue Badge application, they can re-apply after six months have passed.

Alternatively, applicants can re-apply any time if their circumstances have changed and they have the proof needed to verify the changes.

7. 'Requests for a review' (Appeal)

The London Borough of Newham provides a 'request for a review' (appeals) process. These can be made if the applicant is not satisfied with the decision made regarding the outcome of the Blue Badge application.

Applicants are able to request a review within one month of Newham informing the applicant of the decision. Reviews can only be heard if additional information not previously submitted is provided.

The Blue Badge [request for a review](#) (appeal) is available online

8. Renewing, Amending and Replacing

Blue Badges should be renewed at least four weeks before the date of expiry. It is the applicant responsibility to provide all necessary documentation to ensure the Blue Badge is renewed on time. The renewal process follows the same pathway as the original application process.

The blue badge holders must inform Newham council of any changes such as a new car registration or change in address, via: [Change the details on your Blue Badge](#).

To request a Blue Badge to replace one that's been [lost, stolen or damaged](#) this can be requested online. An applicant can request it for themselves or someone else. A replacement badge is valid until the expiry date of the original badge. There is a £10 charge for replacing a badge. If a badge is due to expire in less than 3 months, the applicant needs to reapply instead.

9. Organisational Blue Badges

An organisational badge may be issued to an organisation for use in a motor vehicle or vehicles when the vehicle or vehicles are to be used to carry disabled people who would themselves be eligible for a badge as specified in Section 4(2) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

An 'organisation' is defined in the 2000 Regulations as meaning an organisation concerned with the care of disabled persons to which a disabled person's badge may be issued in accordance with section 21(4) of the Chronically Sick and Disabled Persons Act 1970

Newham will assess if the organisation in question:

- cares for and transports disabled people who would themselves meet one or more of the eligibility criteria for an individual Blue Badge
- has a clear need for an organisational badge rather than using the individual Blue Badges of people it is transporting

Badges will only be issued to the organisation and not to individual employees.

Newham follows the [national guidance](#) on issuing Blue Badges to organisations.

10. Rights and Responsibilities of Blue Badge holders

The rights and responsibilities of a Blue Badge holder are set out within the [national guidance](#).

It should be noted that the badge remains the property of the issuing local authority which has powers to withdraw the badge in some circumstances. It should also be noted that an individual should not be in receipt of more than one valid badge at any time.

Badge holders should also be reminded that they have a duty under Regulation 9 of the 2000 Regulations to return the badge if:

- 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
- it is a replacement badge for one that is lost or stolen, and the original is found/recovered (in this case the original badge should be returned so that it can be securely destroyed)
- the badge is so damaged/faded that the details on it are illegible or it cannot be identified correctly or distinguished from a forgery
- the badge is no longer required by the holder (for example, where they have become confined to the house); or another valid badge is inadvertently issued to the holder by another issuing authority
- the badge holder dies

The exception is that if an existing recipient of HRMCDLA is reassessed by DWP and fails 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, legislation requires that they should be allowed to retain their current badge until it expires.

11. Misuse and Fraud

Badge holders or their representative are required to tick and sign (in the application form) a declaration in relation to their responsibilities under the Blue Badge scheme prior to them being assessed and receiving a Blue Badge.

Where any abuse or misuse of an applicant's Blue Badge subsequently takes place, these signed declarations, and any misrepresentations made in the collection of the Blue Badge, can and will be used by the local authority as part of their evidence for a local magistrate.