

## RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

### 1. Name/Organisation

Organisation Name

Mobility and Access Committee for Scotland

Title Mr ☐ Ms ☐ Mrs ☒ Miss ☐ Dr ☐ Please tick as appropriate

Surname

Byrne

Forename

Clare

### 2. Postal Address

Scottish Government

Area 2D Dockside

Victoria Quay

Edinburgh

Postcode EH6 6QQ

Phone 0131 244 0869

Email

macs@scotland.gsi.gov.uk

### 3. Permissions - I am responding as...

Individual

☐

/

Group/Organisation

☐

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate ☐ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate ☒ Yes ☐ No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ Yes

☐ No

## CONSULTATION QUESTIONS

Chapter 2	
Q2.1	Do you agree that we should amend the definition of “unable to walk or has considerable difficulty walking” so that it is consistent with that used for the Higher Rate of the Mobility Component of the Disability Living Allowance assessments?
YES <input checked="" type="checkbox"/>	<p>NO – Please Provide Reason <input type="checkbox"/></p> <p>MACS agrees that consistency is key – for reason of fairness, this seems a reasonable approach to take.</p>
Q2.2	Do you agree that we should extend eligibility to severely disabled service personnel and war veterans?
YES <input checked="" type="checkbox"/>	<p>NO – Please Provide Reason <input type="checkbox"/></p> <p>However, there is an understanding that most in this category would qualify under the automatic criteria. Consistency with the system in England would be appropriate, and there should also be provision made for those who have served in EU services but are now resident in the UK, since the Blue Badge is EU recognised.</p>
Q2.3	Do you agree that we should extend eligibility to those with severe forms of autistic spectrum disorder and very advanced forms of dementia?
YES <input checked="" type="checkbox"/>	<p>NO – Please Provide Reason <input type="checkbox"/></p> <p>It is important to be aware of the difficulties in assessing these conditions, as those affected are likely to have “good days” and “bad days”. Also, the definition of “most severe cases” is vital.</p> <p>Again, it is possible that cases would already be covered under automatic criteria.</p>

<b>Chapter 3</b>	
Q3.1	Do you agree that we should encourage independent medical assessments?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> Again, consistency is key, in order to ensure fairness throughout all local authorities. It is of course vital that appropriately qualified professionals carry out the assessments, i.e. physiotherapists, occupational therapists, and not necessarily GPs. There will be cost issues to consider.
Q3.2	Should independent medical assessments be mandatory on all local authorities?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> Again, MACS agrees this would ensure a consistent approach. In the first instance, it may be necessary to recommend this as “Best Practice”, due to the need for changes to the Act.
Q3.3	Do you agree that an appeals process relating to the application procedure should be introduced?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> While MACS agrees that an appeals process should be established, some clarification is required – i.e. would the appeal be against the local authority or the independent assessor?

<b>Chapter 4</b>	
Q4.1	Do you agree that local authorities should have the power to confiscate badges that have been cancelled and/or are being misused by a third party for their own benefit?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> While MACS agrees with this proposal, clarification as to who exactly these powers will be extended to would be helpful. Strong safeguards are essential to ensure such powers are not abused. In addition, MACS would like to see the Badge returned quickly to its rightful owner if it has been misused without their knowledge.
Q4.2	Do you agree that we should remove the current “three relevant convictions” requirement in the legislation and allow local authorities to make an informed judgement?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> A clear and detailed Code of Practice and robust guidance are essential here to ensure consistency across the different local authorities.
Q4.3	Do you agree that we should introduce maximum fine of £2,500 for the misuse of a Blue Badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/>
<b>Chapter 5</b>	
Q5.1	Do you agree that we should move towards the central distribution of badges to improve the security of the badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/>

Q5.2	Would you like to see the badge holder's photograph on the front of the badge?
YES <input type="checkbox"/>	NO – Please Provide Reason <input checked="" type="checkbox"/> MACS does not agree with this measure for reasons of the security, personal safety and vulnerability of the badge holder. A suggestion to aid enforcement is to print the serial number on both sides of the Badge.
<b>Chapter 6</b>	
Q6.1	Do you agree that local authorities should share data to assist with the administration of the Scheme?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> This would be beneficial in terms of consistency, long term cost effectiveness, the potential for storing digital photographs of the Badge owner and moving forward to centrally issued Badges in general. Privacy and security safeguards are essential as regards data protection implications.
Q6.2	Do you think we should impose a fixed penalty on badge holders who fail to return an expired badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> MACS agrees with this measure so long as the Badge holder has been given fair warning by reminder letters. It would be helpful if Badges could be returned to, for example, post offices or local council offices. Badge design could be amended to incorporate the information that the Badge remains the property of the issuing authority and should be returned to them when expired/found etc.

Q6.3	Do you think we should make it mandatory for all authorities to charge a fee of £20 for every application?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>MACS agrees with this in principle, because of the need for consistency. However we believe there should be some conditions in place. Those in receipt of certain benefits should not be required to pay. And on renewing a Blue Badge, if personal circumstances have not changed since the last application, there should be no charge.</p> <p>Difficulty arises because of the perceived benefits of holding a Blue Badge. For instance, in Edinburgh where parking charges are considerable, there is financial benefit to be gained in using a Badge for free on-street parking. However, in North Lanarkshire there is no charge for on-street parking, therefore the financial advantage gained by holding a badge is less significant.</p>
Q6.4	Do you think we should also charge a fee of £20 for a replacement badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>MACS understands there has been a degree of misunderstanding with this question as some may believe this £20 charge applies to a renewal on expiry of a Blue Badge. However, there is a consensus that if a Badge is misplaced then there should be a charge to have it replaced.</p>
Q6.5	Do you think we should raise the maximum fee to above £20?
YES <input type="checkbox"/>	NO – Please Provide Reason <input checked="" type="checkbox"/> <p>Such an increase could only be considered after the issue of realistic charging for the administration and enforcement of the Blue Badge scheme has been addressed. The cost of administration at the moment may be due to poor processes which should not be passed on to those applying for a</p>

	Badge.
--	--------

Chapter 7	
Q7.1	Do you agree that each Organisational Badge should contain the vehicle registration number?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>MACS agrees in principle, however it is important to consider what would happen if a vehicle was off the road, or if a vehicle was changed every year or every other year.</p> <p>Also, at present there are organisations which share a Badge between several vehicles – would they be required to apply for a badge for each vehicle, thus risking an increase in the amount of organisational badges in circulation?</p>
Q7.2	Do you agree that organisations applying for an Organisational Badge should provide proof that the vehicle has a Road License awarded under the Disabled Passenger Vehicle Taxation Class?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>Again, MACS agrees in principle. But we are aware that some organisations have vehicles that can be used by disabled people but which do not have DPVT class and this would have to be addressed.</p>
Q7.3	Do you agree that we should alter the design of an Organisational Badge to make it easily identifiable?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/>



## Chapter 8

Q8.1	Do you agree that we should remove the right to park on double yellow lines?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> The general consensus at MACS is that Blue Badge holders would at present park on double yellow lines only as a last resort. We would support this measure only if sufficient disabled parking bays are in place, established through use of audits if necessary. The onus should be placed on employers to ensure there is adequate parking for disabled employees. Consistency and fairness are key, as ever, as well as road safety for all. It would be helpful to provide Badge holders with better guidance on their rights and responsibilities.
Q8.2	Do you agree that we should introduce a limit on the amount of time badge holders can park on single yellow lines?
YES <input type="checkbox"/>	NO – Please Provide Reason <input checked="" type="checkbox"/> The consensus here is that this could only be considered if there were adequate disabled bays – see 8.1. The use of clock cards would certainly give consistency with England but at present this is not a popular option as it would limit the ability of Badge holders to park close to shops/workplaces etc, at least until there are many more designated parking bays in situ.

Q8.3	Would you like to see research carried out on the implications of removing some of the additional concessions for badge holders?	
YES <input checked="checked" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> MACS recognises that this is a huge issue which should be addressed seriously. The outcome of this research is likely to require further consultation.	
Additional Questions		
<b>For Individuals</b>		
Are you a Blue Badge holder?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>For Organisations</b>		
Does your organisation have an Organisational Badge?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

To complete the above Response Form please **left double-click** on the appropriate box, select '**Default value- Checked**', then '**OK**'. To reverse this select '**Default value- Not checked**'.

Please send this completed form by email to:  
[bluebadge@scotland.gsi.gov.uk](mailto:bluebadge@scotland.gsi.gov.uk)

Or by post to:

Blue Badge Reform Consultation  
 PVS, MACS & Mobility Team  
 Scottish Government  
 2D - North  
 Victoria Quay  
 Edinburgh  
 EH6 6QQ

The deadline for responses is: **Friday 08 October 2010**

## Blue Badge Reform



### RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

#### 1. Name/Organisation

Organisation Name

Mobility and Access Committee for Scotland

Title Mr ☐ Ms ☐ Mrs ☒ Miss ☐ Dr ☐ *Please tick as appropriate*

Surname

Byrne

Forename

Clare

#### 2. Postal Address

Scottish Government

Area 2D Dockside

Victoria Quay

Edinburgh

Postcode EH6 6QQ

Phone 0131 244 0869

Email

macs@scotland.gsi.gov.uk

#### 3. Permissions - I am responding as...

Individual

☐

/

Group/Organisation

☐

*Please tick as appropriate*

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

*Please tick as appropriate* ☐ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

*Please tick as appropriate* ☒ Yes ☐ No

**(d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

*Please tick as appropriate* ☒ Yes ☐ No

## CONSULTATION QUESTIONS

Chapter 2	
Q2.1	Do you agree that we should amend the definition of “unable to walk or has considerable difficulty walking” so that it is consistent with that used for the Higher Rate of the Mobility Component of the Disability Living Allowance assessments?
YES <input checked="" type="checkbox"/>	<p>NO – Please Provide Reason <input type="checkbox"/></p> <p>MACS agrees that consistency is key – for reason of fairness, this seems a reasonable approach to take.</p>
Q2.2	Do you agree that we should extend eligibility to severely disabled service personnel and war veterans?
YES <input checked="" type="checkbox"/>	<p>NO – Please Provide Reason <input type="checkbox"/></p> <p>However, there is an understanding that most in this category would qualify under the automatic criteria. Consistency with the system in England would be appropriate, and there should also be provision made for those who have served in EU services but are now resident in the UK, since the Blue Badge is EU recognised.</p>
Q2.3	Do you agree that we should extend eligibility to those with severe forms of autistic spectrum disorder and very advanced forms of dementia?
YES <input checked="" type="checkbox"/>	<p>NO – Please Provide Reason <input type="checkbox"/></p> <p>It is important to be aware of the difficulties in assessing these conditions, as those affected are likely to have “good days” and “bad days”. Also, the definition of “most severe cases” is vital.</p> <p>Again, it is possible that cases would already be covered under automatic criteria.</p>

<b>Chapter 3</b>	
Q3.1	Do you agree that we should encourage independent medical assessments?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> Again, consistency is key, in order to ensure fairness throughout all local authorities. It is of course vital that appropriately qualified professionals carry out the assessments, i.e. physiotherapists, occupational therapists, and not necessarily GPs. There will be cost issues to consider.
Q3.2	Should independent medical assessments be mandatory on all local authorities?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> Again, MACS agrees this would ensure a consistent approach. In the first instance, it may be necessary to recommend this as “Best Practice”, due to the need for changes to the Act.
Q3.3	Do you agree that an appeals process relating to the application procedure should be introduced?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> While MACS agrees that an appeals process should be established, some clarification is required – i.e. would the appeal be against the local authority or the independent assessor?

<b>Chapter 4</b>	
Q4.1	Do you agree that local authorities should have the power to confiscate badges that have been cancelled and/or are being misused by a third party for their own benefit?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> While MACS agrees with this proposal, clarification as to who exactly these powers will be extended to would be helpful. Strong safeguards are essential to ensure such powers are not abused. In addition, MACS would like to see the Badge returned quickly to its rightful owner if it has been misused without their knowledge.
Q4.2	Do you agree that we should remove the current “three relevant convictions” requirement in the legislation and allow local authorities to make an informed judgement?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> A clear and detailed Code of Practice and robust guidance are essential here to ensure consistency across the different local authorities.
Q4.3	Do you agree that we should introduce maximum fine of £2,500 for the misuse of a Blue Badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/>
<b>Chapter 5</b>	
Q5.1	Do you agree that we should move towards the central distribution of badges to improve the security of the badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/>

Q5.2	Would you like to see the badge holder's photograph on the front of the badge?
YES <input type="checkbox"/>	NO – Please Provide Reason <input checked="" type="checkbox"/> MACS does not agree with this measure for reasons of the security, personal safety and vulnerability of the badge holder. A suggestion to aid enforcement is to print the serial number on both sides of the Badge.
<b>Chapter 6</b>	
Q6.1	Do you agree that local authorities should share data to assist with the administration of the Scheme?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> This would be beneficial in terms of consistency, long term cost effectiveness, the potential for storing digital photographs of the Badge owner and moving forward to centrally issued Badges in general. Privacy and security safeguards are essential as regards data protection implications.
Q6.2	Do you think we should impose a fixed penalty on badge holders who fail to return an expired badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> MACS agrees with this measure so long as the Badge holder has been given fair warning by reminder letters. It would be helpful if Badges could be returned to, for example, post offices or local council offices. Badge design could be amended to incorporate the information that the Badge remains the property of the issuing authority and should be returned to them when expired/found etc.



Q6.3	Do you think we should make it mandatory for all authorities to charge a fee of £20 for every application?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>MACS agrees with this in principle, because of the need for consistency. However we believe there should be some conditions in place. Those in receipt of certain benefits should not be required to pay. And on renewing a Blue Badge, if personal circumstances have not changed since the last application, there should be no charge.</p> <p>Difficulty arises because of the perceived benefits of holding a Blue Badge. For instance, in Edinburgh where parking charges are considerable, there is financial benefit to be gained in using a Badge for free on-street parking. However, in North Lanarkshire there is no charge for on-street parking, therefore the financial advantage gained by holding a badge is less significant.</p>
Q6.4	Do you think we should also charge a fee of £20 for a replacement badge?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>MACS understands there has been a degree of misunderstanding with this question as some may believe this £20 charge applies to a renewal on expiry of a Blue Badge. However, there is a consensus that if a Badge is misplaced then there should be a charge to have it replaced.</p>
Q6.5	Do you think we should raise the maximum fee to above £20?
YES <input type="checkbox"/>	NO – Please Provide Reason <input checked="" type="checkbox"/> <p>Such an increase could only be considered after the issue of realistic charging for the administration and enforcement of the Blue Badge scheme has been addressed. The cost of administration at the moment may be due to poor processes which should not be passed on to those applying for a</p>

	Badge.
--	--------

Chapter 7	
Q7.1	Do you agree that each Organisational Badge should contain the vehicle registration number?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>MACS agrees in principle, however it is important to consider what would happen if a vehicle was off the road, or if a vehicle was changed every year or every other year.</p> <p>Also, at present there are organisations which share a Badge between several vehicles – would they be required to apply for a badge for each vehicle, thus risking an increase in the amount of organisational badges in circulation?</p>
Q7.2	Do you agree that organisations applying for an Organisational Badge should provide proof that the vehicle has a Road License awarded under the Disabled Passenger Vehicle Taxation Class?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> <p>Again, MACS agrees in principle. But we are aware that some organisations have vehicles that can be used by disabled people but which do not have DPVT class and this would have to be addressed.</p>
Q7.3	Do you agree that we should alter the design of an Organisational Badge to make it easily identifiable?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/>

## Chapter 8

Q8.1	Do you agree that we should remove the right to park on double yellow lines?
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> The general consensus at MACS is that Blue Badge holders would at present park on double yellow lines only as a last resort. We would support this measure only if sufficient disabled parking bays are in place, established through use of audits if necessary. The onus should be placed on employers to ensure there is adequate parking for disabled employees. Consistency and fairness are key, as ever, as well as road safety for all. It would be helpful to provide Badge holders with better guidance on their rights and responsibilities.
Q8.2	Do you agree that we should introduce a limit on the amount of time badge holders can park on single yellow lines?
YES <input type="checkbox"/>	NO – Please Provide Reason <input checked="" type="checkbox"/> The consensus here is that this could only be considered if there were adequate disabled bays – see 8.1. The use of clock cards would certainly give consistency with England but at present this is not a popular option as it would limit the ability of Badge holders to park close to shops/workplaces etc, at least until there are many more designated parking bays in situ.

Q8.3	Would you like to see research carried out on the implications of removing some of the additional concessions for badge holders?	
YES <input checked="" type="checkbox"/>	NO – Please Provide Reason <input type="checkbox"/> MACS recognises that this is a huge issue which should be addressed seriously. The outcome of this research is likely to require further consultation.	
Additional Questions		
<b>For Individuals</b>		
Are you a Blue Badge holder?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>For Organisations</b>		
Does your organisation have an Organisational Badge?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

To complete the above Response Form please **left double-click** on the appropriate box, select '**Default value- Checked**', then '**OK**'. To reverse this select '**Default value- Not checked**'.

Please send this completed form by email to:  
[bluebadge@scotland.gsi.gov.uk](mailto:bluebadge@scotland.gsi.gov.uk)

Or by post to:

Blue Badge Reform Consultation  
 PVS, MACS & Mobility Team  
 Scottish Government  
 2D - North  
 Victoria Quay  
 Edinburgh  
 EH6 6QQ

The deadline for responses is: **Friday 08 October 2010**