

Blue Badge Factsheet

1. Access to the Blue Badge scheme is specified in policy to comply with the right to accessibility, assigned under the Chronically Sick and Disabled Persons Act (1970).
2. Whilst the Blue Badge is not an entitlement to free parking under the Law, charging parking fees provides a deliberate barrier against chronic illness and disability which breaches the Chronically Sick and Disabled Persons Act (1970), The Equality Act (2010) and the UN Convention on Rights of Disabled Persons (2009).
3. Borough Councils and Hospitals enforce parking fees for people with Blue Badges, despite being told in 2014 that chronically sick people such as with cancer or needing regular therapy treatments or disabled people should not be charged.
4. Blue Badge Fraud and misuse are serious offences contrary to The Fraud Act 2006 and the Road Traffic Regulations Act 1984. In 2018, 4,000 Blue Badges were stolen and 1,200 cases of misuse were prosecuted. The Local Government Association estimated that the theft of Blue Badges had risen by 45 percent in 12 months and increased six-fold since 2013.
5. 60% of Borough Councils do not prosecute fraudulent use of a Blue Badge.
6. Minister for Disabled People Justin Tomlinson has said recently:

'It's unacceptable that people with hidden disabilities still face discrimination when using disabled facilities like parking spaces. Extending the Blue Badge scheme is a watershed moment in ensuring those with hidden disabilities are able to travel with greater ease and live more independent lives'.

7. Under the terms of the Chronically Sick and Disabled Persons Act (1970), people with *any* disability have *always* had the right to apply for a Blue Badge.
8. The definition of 'hidden disability' is open to interpretation by Borough Councils.
9. To help councils with the expected increase in applications, the Office for Disability has agreed with the Ministry of Housing, Communities and Local Government to provide £1.7 million in the first year of the new programme. It is not known if this is ring fenced.
10. For every 10 people with a Blue Badge there is just one available parking space. People who use parent and toddler spaces believe they take precedent over Blue Badges but a driver has a legal right to park in parent and toddler space with a Blue Badge.

11. Whilst DWP claim to have repossessed 75,000 Motability cars in the reform of welfare benefits, DWP have denied enough Personal Independence Payment (PIP) points to qualify for a Blue Badge. This places the onus on Borough Councils, their expertise on understanding what a disability is and their 'discretionary' administration processes for the Blue Badge scheme.
12. In the same way a Disabled Rail card does not entitle a disabled person to space or a seat on a train if someone has placed luggage or a child's pushchair in the allocated space, a Blue Badge will not entitle someone to a parking space or free parking.
13. Any Government, regardless of political persuasion has the legal responsibility for the functions and responsibilities as the 'State'.
Under the terms of the UN Convention on Rights of Disabled Persons (2009), the State has a duty to ensure that human rights are '*Universal, indivisible, interdependent and interrelated*'.
Borough Councils operate Government policy on behalf of the State.
14. The UN Convention Article 27 states, '*the provision of access to appropriate and where necessary, specially tailored forms of transportation is crucial to the realization by persons with disabilities of virtually all the rights recognized in the Covenant*'.