

# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **REPORT TO CABINET**

**15 MARCH 2016**

### **REPORT OF THE CORPORATE DIRECTOR COMMUNITIES**

#### **PROPOSED INTRODUCTION OF BLUE BADGE CHARGING IN OFF- STREET CAR PARKS**

##### **1.0 Purpose of Report**

1.1 To seek approval to re-consult on proposed changes for the future provision of the introduction of Blue Badge charging in Council Managed Off-Street Car Parks within Bridgend County Borough.

##### **2.0 Connection to Corporate Improvement Objectives / Other Corporate Priorities.**

2.1 Making better use of our resources and help vulnerable people stay independent are important themes in the Council's Corporate Plan - Improvement Objectives.

2.2 Car parking provision (and in particular Blue Badge parking) along with Shopmobility facilities to varying degrees promote accessibility, equal opportunities allowing older people and people with disabilities to live with dignity and independence supporting the strategic themes.

##### **3.0 Background**

3.1 Reports were presented to Cabinet on the 31 March 2015 and the 14<sup>th</sup> July 2015 which among changes to disabled parking provision, proposed changes to the concession to disabled parkers that allows these users to park free of charge in all Council car parks throughout the County Borough where other users may be required to pay to park.

3.2 It was identified that there are currently a number of measures which assist in providing equitable access, particularly for those who are participants in the Blue Badge Scheme. These include:

- Reserved spaces for Blue Badge Holders in Off-Street Car Parks in convenient locations;
- Guidance on the proportion of disabled parking spaces within new parking facilities;
- Some on-street parking provision in town centre locations;
- The ability to park on double yellow lines for up to 3 hours, as long as no obstruction is caused;
- Shopmobility scheme operated within Bridgend Town Centre.

- 3.3 In providing parking either at ground level or in multi-storey car parks, the Council incurs both capital and ongoing revenue costs which the Council must source from its own funds.
- 3.4 The current position is that a concession is applied in Off Street Car Parks for persons displaying a Blue Badge which provides for unlimited parking free of charge.
- 3.5 The Council reconsidered its position in respect of the concession currently allowed for persons displaying entitlement through the use of their Blue Badge as a result of proposed enhanced provision and additional cost in providing the same and in the current financial climate for Blue Badge users in Council managed off street car parks. In this respect it was proposed that persons displaying their Blue Badge in a Council managed Off-Street Car Park would pay the same amount as other users of the facility. However, a concession of an extra hour of parking without charge, in addition to a period of parking in respect of which payment has been made, would be allowed.
- 3.6 The recommendation of the first cabinet report dated 31/03/15 was to proceed with an informal consultation and report back its outcome for consideration by Cabinet of an appropriate way forward.
- 3.7.1 The Cabinet report also indicated that in order to meet the recommended standard of disabled spaces (6% of the total spaces) and apparent demand for disabled parking, it would seem appropriate to increase the number of disabled parking spaces in accordance with the table below:

<b>CAR PARK LOCATION</b>	<b>Current number of disabled spaces</b>	<b>Proposed No of spaces (percentage of car park)</b>	<b>Additional disabled spaces proposed</b>
<b>BRIDGEND</b>			
New Rhiw (When built)	15	15 (6%)	0
Recreation centre	9	9 (6%)	0
Bowls hall	2	6 (6%)	+4
Leisure Pool	0	3 (6%)	+3
Brackla 1	5	24 (6%)	+19
Brackla 3	4	8 (6%)	+4
Tondu Road	5	7 (6%)	+2
Tremains Road	3	3 (10%)	0
<b>PORTHCAWL</b>			
John Street	6	10 (10%)	+4
Hillsboro	12	21 (6%)	+9
<b>TOTALS</b>	<b>61</b>	<b>106</b>	<b>+45</b>

- 3.8 As can be seen from the above table it was deemed appropriate to provide an additional 45 disabled parking bays to improve accessibility provision as well as meet recommended standard for disabled spaces in these car parks.
- 3.9 In accordance with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the Regulations), an informal consultation was carried out between 10<sup>th</sup> June 2015 and the 1st July 2015 with letters being sent to various stakeholders including all local ward members, town and community councils, emergency services, transport operators, as well particular stakeholders including the Bridgend Coalition for Disabled People.
- 3.10 The Council received 9 responses to the consultation letter of which all with the exception of two supported the proposal that, persons displaying a Blue badge in a Council managed Off-Street Car Park should pay the same amount as other users of the facility.
- 3.11 Whilst not opposing or supporting the proposal one response expressed concerns that these changes were being considered.
- 3.12 One respondent commented that the concession of an 'extra hour' of parking should be available to all users of off street car parks to promote the economy.
- 3.13 The response in opposition to the proposal expressed the view that it was inappropriate to expect disabled people to inconvenience themselves to approach and have to pay a fee at pay and display machines, especially during inclement weather.
- 3.14 The Bridgend Coalition of Disabled People (BCDP) missed the return deadline for the informal consultation however a letter was subsequently received from the group with 3 supplementary individual supporting letters. The response was in opposition to the proposal expressing the opinion that implementation of charges would be cruel and unfair for disabled users particularly in light of how benefit payments had recently been reduced.
- 3.15 The recommendation of the second cabinet report dated 14/07/15 was to give officers approval to proceed to the next stage of statutory consultation required under the Regulations which was duly approved.
- 3.16 Consultation was carried out between 9<sup>th</sup> November 2015 and the 7<sup>th</sup> December 2015 with the notice of the proposed changes sent to various stakeholders including all local ward members, town and community councils, emergency services, Transport operators, as well particular stakeholders including Bridgend Coalition for Disabled People.
- 3.17 However as a result of a meeting with a representative of the BCDP the date for the submission of responses was extended as concerns were raised that there would be a difficulty in responding to the existing deadline due to various reasons. It was also agreed that the council would meet with the

BCDP before the new deadline expired and that minutes would be taken at that meeting to record the various points raised. The representative advised that a meeting in this manner would improve access to the consultation to some members of the BCDP as they were unable to provide a response in writing. The notice period was therefore extended to Friday 18<sup>th</sup> December 2015 and the notice was also updated so that if any person had difficulty in responding in writing or required the notice in an alternative format they could contact the council for further assistance.

3.18 The Council received 16 responses to the statutory notice of which 12 objected to the proposal (red), 2 agreed with the proposal (green) and the rest suggested variations to the proposal (amber). A list of the formal responses, together with a summary of the objections, is outlined in Table 1 below.

<b>Correspondent</b>	<b>Support / Object</b>	<b>Issues Raised</b>
<b>1</b>	Objects to the proposal.	Expressed concern that the capital cost of making the changes inc replacing machines may not be repaid as blue badge holders may chose not to use the car parks and instead use out of town shops and supermarkets which would impact local businesses.
<b>2</b>	Objects to customers of the Lifelong Centre and Library with blue badges having to pay.	Raised concerns that when the EIA was prepared for the relocation of the library to the recreation centre that free parking for blue badge holders was an important issue which is felt should continue.
<b>3</b>	Objects to the proposal	Suggested an alternative of charging council employees for parking at full market rate. Requested a consultation on this.
<b>4</b>	In favour of the proposal	Advised that the parking charges should be levied for disabled persons parking.
<b>5</b>	No objection to the proposal	No further comment
<b>6</b>	Not obvious if objecting but has commented.	Suggested a payment scheme i.e yearly or quarterly etc which would make it easier for Blue badge holders to pay as being disabled means a lack of mobility and the exertion of finding and using a pay and display station may prove difficult.

Correspondent	Support / Object	Issues Raised
7	Objects to the proposal	Not happy with the proposal. Has picked up negative responses from those affected by the proposal.
8	Objects to the proposal	<p>Responded that it is of paramount importance that the impact of this proposal be assessed before it was even put forward. Austerity measures have impacted on disabled people to a greater extent than many other groups of people and therefore to consider adding another financial burden seems irresponsible. Secondly, made the comment that an additional hour makes a difference but does not negate the cost in the first place. Many disabled people/blue badge users have no option but to use a car. Public transport is not an accessible option. Wheelchair users only have one space on a bus and not all buses have a wheelchair space. Vision impaired people can often not use public transport at all and there are no audio announcements on Bridgend buses. Furthermore it was stated that cuts to many bus routes are going to be made and this increases the difficulties to public transport. Taxis are a very expensive option and certainly not viable. This means there is often not a choice as there is for other users. By adding a cost to parking you are adding a financial burden. Other users have a choice whether to go by car or not.</p>
9	Objects to the proposal	<p>With cuts to care and benefits it feels like disabled people and the most vulnerable are being targeted. A lot of disabled people don't have a choice on how they travel and have to use their car unlike able bodied motorists.</p>
10	Objects to the proposal	Would like an hours free parking for disabled persons with charges payable after that.
11	On behalf of the residents of Ogmore Vale they agree the unlimited	It was is felt that to provide an hour of free parking is insufficient for someone with severe mobility issues. It was claimed that non blue badge holders are provided with

<b>Correspondent</b>	<b>Support / Object</b>	<b>Issues Raised</b>
	free parking be reduced.	more than an hour in Supermarkets. It was proposes that there is a time limit of 3 hours.
<b>12</b>	Objects to the proposal	<p>A meeting was held with the group where the proposal was explained and concerns were raised related to</p> <ul style="list-style-type: none"> <li>• Enforcement</li> <li>• More parking on double yellow lines</li> <li>• Legality of the proposal</li> <li>• Needs to relook at proposal especially with the extra money Council have received this year</li> <li>• Cost of upgrading existing machines</li> <li>• Blue badge users would not use the town anymore</li> <li>• Some blue badge people may not be able to afford to pay</li> <li>• Some public transport not suitable</li> </ul> <p>The issues raised were some of the topics raised but not exclusively</p>
<b>13</b>	Objects to the proposal	Raised the question if charging in car parks is legal without toilets
<b>14</b>	Supports increase in bays and the additional hour but objects to charging.	<p>Disabled people have been hit hard by austerity measures. They also take longer to go about their business.</p> <p>Raises concerns regarding the questions asked in the Consultation.</p> <p>Requests we consider the points raised by Stakeholders as they are knowledgeable of the issues that affect disable people.</p>
<b>15</b>	Objects to the proposal	<p>Believes it would be beneficial to blue badge holders and town centres to continue with free parking for blue badge holders.</p> <p>Is concerned about the financial position of disable people due to welfare cuts and reforms and this proposal would be another burden.</p>
<b>16</b>	Objects to the proposal	No further comment

Table 1

3.19 A public survey on Bridgend County Borough Council's blue badge parking was also conducted between 9<sup>th</sup> November 2015 and 18<sup>th</sup> December 2015. The survey was available to complete online through an interactive survey link on the consultations page of the Council's website or by visiting [www.bridgend.gov.uk/consultation](http://www.bridgend.gov.uk/consultation). Paper copies of the consultation were also

made available all local libraries or alternatively, they could be sent directly to the residents upon request in either English or Welsh. The content of the page remains available online.

- 3.20 Details of the consultation were sent as part of a press release emailed to various stakeholders including Bridgend business forum and business directory, councillors, town and community councils, members of the Local Service Board (LSB) and the Bridgend Equality Forum (BEF), Facebook and Twitter.
- 3.21 The council tweeted its 6,230 @Bridgend CBC followers and posted to its 3,727 Facebook fans about the consultation on several occasions during the consultation period to help raise awareness.
- 3.22 The consultation press release was made available on the Bridgend County Borough Council website via the consultation webpages or by visiting [www.bridgend.gov.uk/consultation](http://www.bridgend.gov.uk/consultation). A notification appeared in the Western Mail on 9<sup>th</sup> November 2015 and 25<sup>th</sup> November 2015. The release was sent to a database of local media outlets. Related articles and opinion letters were published by third parties including the Glamorgan Gazette in response to the consultation.
- 3.23 In total there were seven questions regarding a combination of usage questions and proposal responses. All questions in the survey were optional. All survey responses offered the option of anonymity.
- 3.24 Comments regarding the consultation were also invited via letter, email and phone call.
- 3.25 The majority of respondents to the survey (83%) used Council managed Off-Street Car Parks half of which used the facilities more than once a week. Based upon this any change to the current service is likely to have an impact on the majority of the residents who have responded.
- 3.26 Bridgend town centre is likely to see the largest alteration should any changes be made to the current service as 90 per cent of respondents frequently visit the town.
- 3.27 If the proposal were to be introduced, the majority of respondents (71%) supported the introduction of more parking spaces for blue badge holders and more than half of the respondents (52%) stated they supported the introduction of an additional hour of parking for blue badge holders. In the associated qualitative section for the latter question, 42 per cent of those who provided a comment stated that did not support the proposal and that parking for blue badge holders should remain free.
- 3.28 In the final comment section respondents were most concerned with ensuring those in receipt of the blue badge provision were genuine users (29%), 26 per cent did not want the proposal to be introduced and 13 per cent wanted the same charge for anyone who uses a car park.

3.29 Alternatives suggested included offering the free hour prior to a ticket purchase being made or issuing an annual fee or quarterly payments in order to allow disabled badge holders the flexibility of not having to reach the pay and display machines.

#### **4.0 CURRENT SITUATION / PROPOSAL**

4.1 As a result of the replies and issues raised associated with the online and statutory consultation undertaken, the Council has decided to carry out a further consultation exercise which incorporates some of the suggestions and issues raised together with some further proposals for consideration.

4.2 Some of the issues raised by the previous consultation included:

- Will blue badge users decide not to park in Council car parks and instead park in supermarkets?
- Will the proposal affect the use of the library at the recreation centre by blue badge holders?
- Should parking charges be levied for blue badge users?
- Will the use of new Pay and Display machine present problems for disabled users once they are DDA compliant?
- Does the additional hour of free parking help blue badge users or should a longer free period of parking be allowed?
- Are there any specific problems for blue badge users using public transport?
- Will blue badge holders relocate to on street parking places if charges are introduced?
- Would an advance payment scheme assist blue badge users ie yearly/quarterly as it may be difficult for some users to access a pay and display station?

4.3 It would therefore be appropriate that the above issues are taken into consideration in the new consultation and that a number of options be put forward as part of the consultation process detailed as follows:

4.4 **OPTION 1** – Blue Badge holders park free in designated disabled spaces for up to 3 hours but charges for parking will apply outside allocated disabled spaces. This option will enable free parking in designated disabled spaces in the Bridgend and Porthcawl Car Parks but if there are no designated bays available, those persons displaying their blue badge and parking in non-designated bays will pay the same amount as other users of the facility but will be provided a concession of an extra hour parking free of charge in addition to any period of parking in respect of which payment has been made.

4.5 **OPTION 2** – Annual charge or permit to park in Council managed off street Car Parks for Blue Badge holders. This option would require Blue badge holders to apply to the Council annually for a Parking permit. The Parking permit would be issued to the applicant rather than to a vehicle registration.

- 4.6 OPTION 3 – Blue Badge holders park free in Council managed off street Car Parks with the display of blue badge and vehicle tax exemption Road Tax Disc. This option would allow those blue badge holders who have a vehicle tax exemption Road Tax Disc to park free in the Council's car parks. Other blue badge holders would have to pay the appropriate parking fee. (Vehicle tax exemption certificates and subsequently Road Tax Discs are issued to those individuals eligible for payment of Higher Rate Mobility Component of the Disability Living Allowance).
- 4.7 OPTION 4 - Blue badge holders are charged the same rate as other users except they get an extra 50% of free parking on whatever time period they purchase. This option means that blue badge holders will pay the same charges as members of the public but if they pay for example 1 hour and display their blue badge then an extra 30 minutes will be added to their allowed stay free of charge.
- 4.8 OPTION 5 - Blue badge holders are charged the same rate as other users except they get twice as long on whatever time period they purchase. This option means that blue badge holders will pay the same charges as members of the public but if they pay for example 1 hour of parking and display their blue badge then an extra 1 hour period without charge will be added to their allowed stay.
- 4.9 OPTION 6 – Blue badge holders do not have any concession when parking in Council managed off street car parks.. This option means that blue badge holders will pay the same charges as other members of the public whether or not they park within designated disabled bays.
- 4.10 Due to the timescales between the previous Cabinet Report's it was decided that an update was required on the current number of marked disabled parking spaces in these car parks particularly in light of the relocation of Shopmobility to Brackla 1 Off-Street Car Park and the results are as follows in Table 2:

Car Park Location	Current Designated disabled Spaces	Proposed Number of Disabled spaces	Additional disabled spaces	Proposed % of car park
New Rhiw	15	15	0	6%
Rec Centre	9	9	0	8%
Bowls Hall (Short)	0	3	3	9%
Bowls Hall (Long)	2	3	1	6%
Brackla 3	5	8	3	6%
Tremains (Short)	0	1	1	6%
Tremains (Long)	3	3	0	8%
Leisure Pool	0	3	3	8%
Brackla 1	23	23	0	6%
Tondu Road	5	5	0	6%
John Street	7	10	3	11%
Hillsboro Place	12	21	9	6%
Rest Bay (Front)	8	8	0	9%
<b>Totals</b>	<b>89</b>	<b>112</b>	<b>23</b>	<b>7%</b>

Table 2

- 4.11 As can be seen from the above table in Brackla 1 there are 23 disabled bays. This does not include the 10 new Shopmobility bays that have been allocated as a result of its relocation. It is proposed that the Shopmobility bays remain solely for the use of Shopmobility customers and are not allocated as disabled parking bays. This is due to the fact that users do not need to have a blue badge to use the Shopmobility facility as the need for its use may only be a temporary measure. Those using the Shopmobility bays must have an appropriate permit in their car indicating that they are utilising the Shopmobility facilities.
- 4.12 The proposed pay on foot machines that are going to be used in the redeveloped Rhiw Car Park cannot differentiate between blue badge users and non-blue badge users. Therefore, when implemented, all customers using this car park will be required to pay the appropriate rate with no concessions. However, efforts are being made to identify whether a system can be procured within the project budget and time constraints, that will enable differential rates to be charged for blue badge holders. Designated disabled bays will be available at appropriate locations near the lifts and exits to aid blue badge users.
- 4.13 The consultation will be made available to complete online through an interactive survey link on the consultations page of the council's website or by visiting [www.bridgend.gov.uk/consultation](http://www.bridgend.gov.uk/consultation). Paper copies of the consultation will also be made available at community engagement events or alternatively, they could be sent directly to the residents upon request in either English or Welsh.

- 4.14 Details of the consultation will also be sent as part of a press release emailed to various stakeholders including Bridgend business forum and business directory, councillors, town and community councils, members of the Local Service Board (LSB) and the Bridgend Equality Forum (BEF), Facebook and Twitter.
- 4.15 It is proposed that the council will tweet its 6,230 @Bridgend CBC followers and will post to its 3,727 Facebook fans about the consultation on several occasions during the consultation period to help raise awareness.
- 4.16 In addition, the consultation press release will also be made available on the Council website via the consultation webpages or by visiting [www.bridgend.gov.uk/consultation](http://www.bridgend.gov.uk/consultation). A notification will also appear in the Western Mail. The release will be sent to a database of local media outlets.
- 4.17 The Equality Act 2010, as amended, requires that the Council must, when exercising its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 4.18 Upon completion of this consultation and engagement process a further report will be presented to Cabinet together with the findings of the full EIA.

## **5. Effect upon Policy Framework & Procedure Rules**

- 5.1 This report has no effect upon the Policy Framework or the Procedure Rules.

## **6. Equality Impact Assessment**

- 6.1 It is the duty of the Council to carry out an Equalities Impact Assessment on any proposal. The Authority has a published procedure which ensures the appropriate Protected Characteristics are safeguarded. A full assessment to the Authorities published procedure "Guide to Equalities Impact Assessment" will be undertaken upon the completion of the online engagement exercise.
- 6.2 As part of the Cabinet report dated 14<sup>th</sup> July 2015 an EIA screening report was undertaken to identify the need for the type of consultation required. The screening form identified that a full EIA was required.

## **7. Financial Implications.**

- 7.1 There would be a requirement to upgrade 7 pay and display machines to be compliant for use as well as amend car parking orders to implement such changes subject to the outcome of a statutory consultation of the proposal.

The machine modification is expected to cost circa £71,000. The funding to upgrade the machines will be made available from surplus monies in accordance with the financial requirements of the Road Traffic Regulation Act 1984.

7.2 In the Council's Medium Term Financial Strategy £165,000 was included in 2015/16 as the likely level of income to be generated from the introduction of Blue Badge charging. This was agreed by Council in February 2015. This figure assumed that disabled parkers would not migrate to surrounding streets.

7.3 Following the re-consultation of this proposal and the possible reduction in income associated with some of the proposals, any MTFS budget reduction will need to be considered once the outcome of the consultation exercise has been determined, and a reserve will be created in accordance with MTFS Principle 12 (MTFS Budget Reduction Contingency Reserve) if needed.

## **8.0 Recommendations**

8.1 It is recommended that:

8.1.1 Cabinet approve the revised proposal outlined in the report;

8.1.2 A further report be presented to Cabinet upon completion of the consultation exercise together with the findings of the full EIA.

**MARK SHEPHARD**

**CORPORATE DIRECTOR - COMMUNITIES**

**March 2016**

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**Background Papers:**

**None**