

Disability Law Service

advice and legal representation for disabled people

The Blue Badge Parking Scheme

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Just text: **THNX01 £5 to 70070**

The Blue Badge Parking Scheme

Introduction

What is the Blue Badge Scheme?

The Blue Badge Parking Scheme is a scheme for disabled people with severe mobility issues who find it difficult or impossible to use public transport. The scheme, which allows badge holders to park close to where they need to go or allows them to park on some single or double yellow lines for short periods, operates throughout the UK.

Can I get a Blue Badge?

Blue Badges apply to the disabled person and not to their vehicle so you can get a blue badge if you satisfy the qualifying conditions if you are a driver **or** if you are a passenger.

Some people qualify for a blue badge automatically but others will need to satisfy the qualifying conditions.

Automatic Qualification

The following people will qualify automatically for a Blue Badge if they are three years old or over:

- You receive the higher rate of the mobility component of Disability Living Allowance;
- You are registered blind; **or**
- You receive a War Pensioner's Mobility Supplement.

Disabled Children under 3 years of age

Parents of children who are under 3 years of age can also get a Blue Badge for their child if their child has a specific medical condition which means that they either:

- Must always have bulky medical equipment with them which cannot be carried around without great difficulty; **or**
- Need to be kept near a vehicle at all times, so that they can, if necessary, be treated in the vehicle, or quickly driven to a place where they can be treated, such as a hospital.

Other people who can get a Blue Badge

If you do not qualify automatically for a Blue Badge you may still be able to get one under the criterion 'eligible subject to further assessment'. You will need to apply to your local council for a badge and answer some questions which will help the council decide if you can have a Blue Badge. In order to qualify under this category you must either:

- Have a permanent and substantial disability which means you cannot walk, or which makes walking very difficult; **or**
- Have a severe disability in both arms, regularly drive a motor vehicle but be unable to operate all or some types of parking meter (or would find it very difficult to operate them).

You may also be asked to see another health professional such as an occupational therapist.

How do I apply for a Blue Badge?

In order to apply for a Blue Badge you will need to contact your local council for an application form. You will find its number in your Telephone Directory. You can also look online for the telephone number and, in some instances, you may find the form you need can be downloaded from your council's website.

When you receive your application form you will need to complete the form and return it with 2 passport sized photographs. You may also be asked for an administration fee but this is not always the case and depends on the local council's policy.

When can I use my Blue Badge?

If you live in England or Wales you can park on single or double yellow lines for up to three hours unless there is a ban on loading or unloading. In Scotland there is no time limit for how long you can park on yellow lines.

If you are parking on-street you may park for free for as long as you need at parking meters and pay-and-display

meters unless there is a sign which specifies a time limit for Blue Badge holders.

If there is a time limit in force for Blue Badge holders you must make sure that you display both your Blue Badge and the blue disc which shows the time you arrived.

Blue Badges can be used for parking concessions for on-street parking **only**. Blue Badges are not automatically recognised in off-street car parks, on private roads, in hospital car parks or at most UK airports. Any parking concessions available at these locations are at the discretion of the car park operators, therefore if you have a Blue Badge you should not assume that you can park for free.

There are also restrictions on Blue Badge use in four central London boroughs:

- City of London
- Westminster
- Kensington and Chelsea
- Parts of Camden.

For restrictions in **Wales** see:

www.wales.gov.uk/topics/transport/integrated/bluebadgescheme

For restrictions in **Scotland** see:

www.scotland.gov.uk/Topics/Transport/Road/BlueBadgeScheme

For restrictions in **Northern Ireland** see:

www.nidirect.gov.uk/index/information-and-services/people-with-disabilities/people-with-disabilities-motoring-and-transport/blue-badge-scheme/the-blue-badge-parking-scheme

Are there any other concessions I can get with my Blue Badge?

London Congestion Charge

If you are a Blue Badge holder you can get 100 per cent exemption from the Congestion Charge. You will have to register with Transport for London at least 10 days before you travel and you will be asked to pay a one-off registration fee of £10. Contact Transport for London on:

Telephone: **0845 900 1234**

Textphone: **020 7649 9123**

Website:

www.tfl.gov.uk/roadusers/congestioncharging

Bridge and tunnel toll concessions

Blue Badge holders are sometimes exempt from paying tolls for bridges, tunnels and at some river crossings. You can find out more about toll concessions at:

www.direct.gov.uk/en/DisabledPeople/MotoringAndTransport/Bluebadgescheme/DG_181209

Outside the UK

Reciprocal arrangements have been made which mean that Blue Badges can also be used for parking concessions in other European countries however there are no arrangements in place for concessions in countries outside Europe.

There is a publication available about parking concessions in Europe which includes a special card for displaying alongside your blue badge in European countries. The publication is called 'Parking Card for People with Disabilities in the European Union: Conditions in the Member States'. It can be obtained from:

DFT Publications

Website: **www.dft.gov.uk/publications/dft-publication-scheme/**

Telephone: **0300 123 1102**

Please quote ref 08DFT004 and O8DFT005 when ordering.

You can also download a document from the Institute of Advanced Motorists website which gives you information about using your Blue Badge within the European Union:

Website:

www.iam.org.uk/images/stories/downloads/Policy_and_Research/blue_badge_abroad

How do I display my Blue Badge when I park?

You must always display your Blue Badge when you are parking your car in accordance with the Blue Badge parking concessions regulations.

You must place your Blue Badge on the dashboard of your car and make sure that it can be read clearly through the windscreen. It is advisable to make sure that it is displayed on the side nearest to the pavement. The side showing the wheelchair symbol must always be the side that is visible through the windscreen and not the side which shows your photograph.

If you are parking in a timed parking bay or on a double or single yellow line you should set the Blue Badge Clock to show what time you parked.

Can I still get a parking ticket?

There are still many restrictions to parking even if you have a blue badge.

You must remember to display your blue badge correctly. If your blue badge is displayed upside down, out of sight or it is out of date you are liable to receive a parking ticket.

The Blue Badge scheme does also not apply to off-street car parks, private roads, hospital car parks and at some airports.

Some councils in the country participate in an alternate badge scheme; this is where only local residents who hold blue and differently coloured council scheme badge are allowed to park in the spaces provided. These are generally only applicable in areas that suffer from heavy congestion.

What can I do if I get a parking ticket?

If you are a blue badge holder and you receive a parking ticket which you feel is unjust. You must contact the ticket issuer (ie the local authority) and challenge by the normal process which will be written on the parking ticket you have received.

If the local authority still upholds the parking ticket after your appeal you may also wish to contact the **Traffic Penalty Tribunal**, an independent tribunal where impartial lawyers consider appeals by motorists and vehicle owners whose vehicles have been issued with a parking ticket by councils in England and Wales.

Traffic Penalty Tribunal

Barlow House

Minshull Street

Manchester M1 3DZ

Telephone: **0161 242 5252**

Email: **info@trafficpenaltytribunal.gov.uk**

Website: **www.trafficpenaltytribunal.gov.uk**

In London you must contact **Parking and Traffic Appeal Service:**

Telephone: **020 7520 7200**

Fax: **01932 578493**

Email: **patas.team@patas.gov.uk**

Web: **www.parkingandtrafficappeals.gov.uk**

Who can inspect my blue badge?

Certain people have the authority to inspect your blue badge. These are police officers, traffic wardens, local authority parking attendants and civil enforcement officers. All these people carry photographic ID which you are entitled to see.

If you are asked by any of the above enforcement officers to show your blue badge and fail to do so, you are breaking the law and may be liable for a fine or up to £1,000.

Only a police officer has the right to seize your blue badge but will only do so if it is being misused. For example, you are the Blue Badge holder but you have given your badge

to your partner to use when they go to work or to do shopping even though you are not with them. **Your Blue Badge can only be used when you are using the vehicle yourself either as a driver or as a passenger.** If you allow your badge to be used by someone else when you are not in the vehicle you are breaking the law and are liable for a fine of £1,000 plus any fine that has been incurred for parking in the wrong place. You may also find that your local council will ask you to return it.

I applied for a Blue Badge and was turned down. Can I do anything?

If you have applied for a Blue Badge and your application has been turned down you could contact your local council to find out if it has an appeals process and ask the council to reconsider its decision.

You can do this if you feel that the local council has not taken all the information you provided on your application form into consideration.

You can also ask it to reconsider its decision later if your mobility problems become more serious than when you first applied.

In certain circumstances, under the provisions of Statutory Instrument 2000 No. 682, The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, if you have been refused a Blue Badge you can appeal against this decision to the Secretary of State.

The particular circumstances are regulation 8(2a) or regulation 9(2). These regulations state that a blue badge can be refused if the authority is satisfied that the badge was obtained by false representation or because a previous blue badge has been seized due to misuse leading to three relevant convictions.

If you intend to appeal to the Secretary of State you must do this within 28 days of the refusal to grant you a Blue Badge. You should sign and date your appeal and say why you are appealing. You should then send your letter of appeal to:

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Department for Transport

Zone 2/25 Great Minster House

76 Marsham Street

London SW1P 4DR

You should receive a response within 28 days of your appeal.

If you are still refused a Blue Badge you may make a final appeal to your local magistrate's court, again within 28 days of the Secretary of State's decision being made.

Useful contacts

The Blue Badge Scheme is run by your local council - contact them first for more information or advice. You will find their telephone number in your telephone directory or you can search for it online.

The Blue Badge Scheme: Rights and Responsibilities in England (leaflet) is available online at:

www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/@disabled/documents/digitalasset/dg_186198

This leaflet is available in Braille, audio tape and CD formats. You can order copies by telephoning: **0300 123 1102**.

Legal Disclaimer

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For further advice on these matters please contact:

Disability Law Service

Telephone: **020 7791 9800**

Minicom: **020 7791 9801**

Fax: **020 7791 9802**

Email: **advice@dls.org.uk**

Website: **www.dls.org.uk**

Or write to us at: 39 – 45 Cavell Street, London E1 2BP



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