Parking Issues for People with Disabilities
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INTRODUCTION

This paper has been written to enhance the understanding and awareness of parking issues that affect disabled people. Although the Blue Badge scheme is an on-street parking scheme there are many occasions where disabled people use car parks so this paper will consider the issues of both on and off-street parking.

This paper will look first at what the issues are for disabled people parking on-street using a Blue Badge, why Blue Badge abuse is such an issue and what can be done to stop it. Next this paper will examine the issues disabled people have parking in off-street car parks including problems with barriers, parking machinery and bay abuse. This paper will then detail options that may be available in the future which could enable disabled people to park more easily.

PARKING ON-STREET

What are the issues?

For many disabled people parking on-street is becoming more and more difficult. There are now 2.6 million people in the UK who have a Blue Badge and finding a disabled bay or even a double or single yellow line to park on is becoming increasingly difficult.

Increases in traffic over the years have meant local authorities have had to remove parking bays or put loading bans on yellow lines to help traffic improve flow. This means the number of on-street places for badge holders to park in is greatly reduced. In addition, the increasing number of councils now charging Blue Badge holders to park in local authority run car parks has also encouraged more Blue Badge holders, who previously were happy to park in car parks, to park on the street instead where there is no charge. This has made the battle for on-street spaces even more difficult. For disabled people who find car parks too inaccessible to use they have little option if all the on-street spaces are taken but to abandon their journey and drive home.

Adding to the problem is the fact that there are about half a million fake, lost, stolen, or otherwise misused badges being used by people to park on the UK’s streets every year. There are also those that go on being used by relatives or friends even after the genuinely entitled disabled user has died. However, one of the most common abuses of the scheme are badges being used by people who they weren’t issued to, for example friends and family of the holder. Not only does this deprive genuine badge holders from parking but it also reduces local authority parking revenue.

What can you do?

To try and improve the scheme reforms came into effect in 2012 with the launch of a new centralised database and newly designed Blue Badge. The new database will standardise the way badges are issued and should prevent fraud at the point of issue. For example, people will not be able to apply for a badge with false identification or make multiple applications for badges. The centralised database should enable civil enforcement officers to check if a badge is genuine or not but what it would not tell them is if it is being used by the person it should be.

At the moment only a very small number of councils carry out any enforcement of the scheme. This means that very few checks are made on people using Blue Badges and whether they are the genuine holder or not.

It is strongly recommended that in areas where Blue Badge fraud is a problem local authorities establish specialised Blue Badge enforcement teams to carry out undercover surveillance activities. Along with random checks this is one of the ways of ensuring the scheme is benefitting those it is supposed it.
How do you do it?

Blue Badge enforcement teams (as established in Manchester and Wandsworth) can be employed by the local authority to identify cases of suspected badge abuse and apply for permission to carry out undercover surveillance under the Regulation of Investigatory Powers Act 2000 (RIPA) in order to build up evidence that can later be used to prosecute a person.

The legislation that covers Blue Badge misuse is the Road Traffic Regulation Act 1984 section 117. This covers anyone who misuses a valid Blue Badge. Anyone who uses a Blue Badge which is not genuine, or where the badge has been altered, can be prosecuted under the Fraud Act 2006 section 1.

Parking enforcement officers can play a major part in identifying lost, stolen and fraudulent badges as part of their day-to-day activities.

What do you have to do?

The Department for Transport put the “monetary benefit of having a badge” at £5,644 for a regular badge user in London and £2,174 for a regular user in a city outside London. This illustrates how much parking revenue a local authority could potentially be losing by not enforcing the scheme.

The Department for Transport “strongly recommends that local authorities in areas where this is perceived to be a problem (especially urban areas) establish specialised Blue Badge enforcement teams”.

What is the future?

If more local authorities tackled Blue badge abuse more people would think twice about using a badge that did not belong to them. If there was less abuse of the scheme disabled people would be able to park considerably easier.
PARKING OFF-STREET

What are the issues?

Many disabled people prefer to park in an off-street car park as they feel their car is safer than on the street and it is safer to unload mobility equipment in a car park than on a busy road. However, for some disabled people accessing a car park can prove difficult particularly where there is an entry barrier which requires someone to take a ticket. In addition people who are unable to take a ticket are often unable to press the “Help” button to summon assistance which can cause frustration for drivers in the queue behind. People with upper limb disabilities and dexterity problems can also struggle to use ticket payment machines at both barrier access car parks and pay and display. The requirement to type in a car number plate also causes problems for people who find using small buttons difficult.

People who drive Wheelchair Accessible Vehicles (WAVs) sometimes find that their vehicle exceeds the height limit of the car park and so this can prevent them being able to enter. One of the most common complaints about car parks is that the disabled bays are constantly used by people not displaying a Blue Badge.

What can you do?

There are various different payment options available which can be used far easier by disabled people with upper limb disabilities. Pay by phone technology is an option which can enable disabled people to pay in pay and display car parks. Where there are barriers in place ANPR technology can be used so Blue Badge holders can register their details prior to using the car park so the barrier can lift automatically.

There is little that can be done to accommodate WAVs which are too big but a sign clearly stating the height limit of the car park which can be seen before a long time is wasted in a queue is desirable.

What do you have to do?

The Equality Act 2010 states that providers of services to the public are required to make ‘reasonable adjustments’ to remove barriers which may discriminate against disabled people. Operators of off-street car parks are under no obligation to recognise the Blue Badge scheme but many choose to do so in order to meet their obligations under this Act. Therefore where a supermarket provides a car park; “reasonable adjustments” to prevent discrimination are likely to include parking spaces near to the entrance for those disabled people whose mobility is impaired to the degree that it would otherwise be difficult for them to access the store.

Although a Blue Badge is not issued to all disabled people it is issued to those with mobility problems and so it is a good way for parking operators to identify those people who need special parking provision.

Car park operators are at risk of an Equality Act 2010 claim if they don’t discourage abuse of the accessible spaces. This means that they need to ensure that the spaces are only used by people who need them and so regular checks need to be made to ensure they are not being used by people without Blue Badges.
How do you do it?

The best way to ensure disabled bays are only used by Blue Badge holders is to enforce them and issue PCNs when a car not displaying a Blue Badge is parked there. If people know a car park is enforced they are less likely to abuse the bays.

What is the future?

There are already ideas coming onto the market which make parking easier for disabled people. One of these is a machine designed for entry to a car park which will automatically connect you to a person if you fail to take a ticket in 30 seconds.

Some authorities are already installing ANPR machines and enabling Blue Badge holders to register their details so the barrier raises automatically.

There was much discussion when the new Blue Badge was introduced as to whether it would have a chip in it and it was decided that the cost was too prohibitive. However, in the future it is possible that a chip may be incorporated and this could be used to enable badge holders to access car parks without the need for pre-registration.

Wave and pay is another development in payment technology which would allow people to pay for their parking without having to fiddle about with coins or inserting cards. The development of phone apps also means that in the future it may be possible to book and pay for a parking space and even summon assistance by using a mobile phone.