

Consultation Letter

Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: 14 October 2011
My ref:
Your ref:

Shropshire Council - Blue Badge charging policy review

The purpose of this letter is to seek your views on suggested changes to Shropshire Council's policy in respect of car parking and related matters for Blue Badge holders. Within this letter you will find a suggested way forward upon which the Council would very much welcome your views.

Your responses should be sent to my colleague Samantha Tharme. Samantha is one of the Council's transport planners and her contact details are given at the end of this letter. Alternatively, you can register your views on the Council's web site at www.shropshire.gov.uk where you will find a link to 'Blue Badge consultation'.

The deadline for receipt of responses is 16th November.

Background

Since April 2011 and subsequent to a full review of its Parking Strategy in 2010, Shropshire Council has applied a charge in all its pay and display car parks. There is therefore a consistent approach across the County.

At present charges and applicable duration are the same for Blue Badge Holders and any other customers within these car parks, as Local Authorities are permitted to charge Blue Badge holders to park within 'off-street' car parks.

Subsequently, Shropshire Council has reviewed its charging policy in relation to Blue Badge holders, giving it further consideration in light of the requirements set out in the new Equality Act 2010 and in response to a number of representations that have also been made to the Council on the matter. .

There are 14,000 registered Blue Badge holders in Shropshire which amounts to 11% of all households. Whilst recognising that Blue Badge holders have particular needs the council has to balance these with the cost of providing adequate parking spaces.

The proposals set out in this letter are a genuine attempt to make improvements to our service and are presented here for consultation purposes. After the conclusion of the

consultation period the Council should be better placed to make a fully informed decision and we would be grateful to receive your views.

The Equality Act 2010

In October 2010 the Equality Act came into force to bring together and extend existing equality law. From April 2011, when the legal provisions came into force, public bodies are required to consider specific duties under the Act.

These duties require public bodies to have *due regard* to certain issues regarding equality as part of their process of decision-making.

One such duty for public bodies is to have due regard to the need to **advance equality of opportunity** between people and this involves considering the need to:

- remove or minimise disadvantages suffered by people due to their “protected characteristics”;
- meet the needs of people with “protected characteristics”;

The term, “Protected characteristic”, is used within the Equality Act to describe those who are protected under the legislation. Within the Act disability is included as a ‘protected characteristic’.

Further information on the Equality Act 2010 is available from the Government Equality Office and www.Equality.gov.uk.

The Council’s duty under the Equality Act 2010 is one of a number of matters that needs to be considered, in a balanced fashion, within the decision making process.

Whilst reviewing the charging policy the Council has taken into consideration the following issues.

Management and operation of Car Park Assets

- The Council is responsible for managing its overall budget and there are costs associated with the management of car park assets for the use of all customers
- The Council needs to secure a contribution to its revenue income from providing car park spaces.
- The need to provide appropriately sized spaces for Blue Badge holders. It is accepted that Blue Badge holders require more space per vehicle than standard bays.
- In terms of sufficiency the Council follows National guidelines and 6% of total bays with a car park are set up specifically for Blue Badge holders. In the smaller car parks where 6% would be less than two spaces, two spaces are provided. Blue Badge holders are however also able to parking in non-designated spaces.

- Reasonable access to pay and display machines, giving consideration to the height of the machine and the need for ramps etc. This should aim to meet the needs of all users as far as practical. Accepting that there could be circumstances where some individuals will not be able to access a pay and display machine, procedures should be in place to respond appropriately.

Feedback received from before, during and following the Parking Strategy

- Blue Badge holders have indicated that the provision of adequate specific parking bays in the right locations is more important than providing free parking.
- The introduction of some charge helps prevent abuse of the blue badge scheme, which Shropshire and other authorities have been working to reduce.
- Representations have been made that many Blue Badge holders require additional time to undertake normal tasks and therefore raised whether a time allowance could be made.

Proposed Changes

Having reviewed the issues Shropshire Council proposes the following charging policy for Blue Badge holders:

- Retain charging for Blue Badge holders, WITH an additional time period. It is proposed to offer an extra hour, on top of the period purchased in all surface car parks. (E.g. Those purchasing 1 hour ticket will qualify for 2 hours parking, a 2 hour ticket will provide 3 hours parking and so on, up to the charging time limit of that car park.)
- On-street parking for Blue Badge holders will remain free of charge, with no time limit in on-street pay & display bays, limited waiting bays, designated disabled bays and a maximum of 3 hours on double yellow lines (where no loading restrictions apply or where parking would cause an obstruction).

Administration and enforcement of the above proposal will be straightforward and pay and display machines would not need to be re-programmed.

This proposal relates to those car parks where we have pay & display operating. Where we have pay on exit/foot it will not be introduced because of the difficulties of administration. This only applies to Raven Meadows multi-story in Shrewsbury, and as there are a number of pay & display car parks in the same area of Shrewsbury we do not consider this a significant disadvantage.

Display of the Blue Badge with the pay and display ticket at the time of parking would be required for the concession to be valid.

Signs notifying users of the concession would need to be clear at the pay and display machines.

Accessibility of machines

All practical measures have (or are in the process of being) undertaken to make pay and display machines accessible to all users and we will consider any reasonable requests to make further modifications.

Accepting that there could be circumstances where some individuals will not be able to access a pay and display machine, procedures are in place to respond appropriately.

Consultation period and next stages

This letter is to seek views on the proposed changes and we would be grateful if you / your members could return a response by the 16th November, 2011. I attach the list of consultees and would be grateful if you would notify Samantha Tharme of any other recipients you feel we might reasonably include.

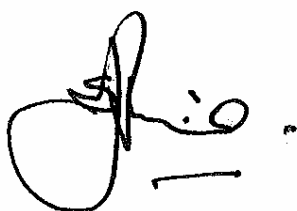
Following the end of the consultation period a recommendation will be made through the democratic process to the Council which will then determine how to proceed.

If the proposal to amend the charging policy is agreed by the Council the change will not come into effect until after the publication of Notice and the expiry of the required 21 day Notice period.

Enforcement position during consultation period

Whilst the consultation period is ongoing the Council will operate an extended grace period in relation to Blue Badge holders who have exceeded the time period specified on the ticket purchased for the relevant off-street car park. Please note a ticket **MUST** still be purchased for the off-street car park used and the relevant conditions of use of the car park met, as the failure to purchase or correctly display a ticket will still be subject to enforcement action.

Yours sincerely,



Steve Price
Group Manager

Consultation responses should be sent to Samantha Tharme, Principal Transport Planner, Shropshire Council.

By email on: Samantha.Tharme@Shropshire.gov.uk

By letter: Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND
Deadline for responses: 16th November, 2011.
Information is also available via our website www.Shropshire.gov.uk.

Copy to: Cllr Simon P Jones, Steph Jackson; Paul McGreary

Consultation List:

Val Lewis, Membership Secretary, Shropshire disability network

Keith Wood, NS Wheelers Advocacy

Helen Dolphin, Mobilise

Vivienne Parry Ludlow Disabled Access Group

All Shropshire area Town Councils.

Individuals :

Sam Taylor

John Dixon

Patrick Mc Dermott