



Norfolk County Council

Blue Badge Policy

Community and Environmental Services



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1. Introduction

- 1.0 This document confirms Norfolk County Council's policy for determining eligibility, managing appeals and enforcement activity in connection with the Blue Badge (Disabled Person's Parking) scheme.
- 1.1 These activities are carried out by the Community and Environmental Services (CES) Directorate of Norfolk County Council, by a dedicated team in Customer Services who administer applications with support from suitably qualified Expert Assessors and by Highways who manage enforcement with legal process provided by Trading Standards.
- 1.2 The purpose of the policy is to uphold high standards and consistency in the application of eligibility criteria and provide a framework to ensure Blue Badges are issued and enforced in a way which is fair, equitable and consistent for the residents of Norfolk as a whole and reflects the national criteria. It aims to ensure those meeting the eligibility criteria can fully enjoy the benefits and that disabled parking spaces are available for those that need them most.
- 1.3 To inform this policy, and to encourage as consistent an approach as possible nationally, Norfolk County Council liaises closely with other local authorities in England via participation in national calibration exercises, attendance at conferences and use of Department for Transport (DfT) resources.
- 1.4 This policy is subject to review every 4 years, or in light of any changes to the national guidelines or the administration of the scheme.

2. Assessing applications and determining eligibility

- 2.0 To ensure badges are only issued to those meeting the criteria and that limited available disabled parking remains available for those that need it, Norfolk County Council will assess applications against the published national guidelines issued by the Department for Transport (DfT) (see 7.1).
- 2.1 Applicants who meet the DfT's automatic criteria (known as 'not for further assessment') will be issued with a badge. A full list of the automatic criteria can be found in Section 4.4 of the DfT guidelines. These applicants must evidence their eligibility and provide the statutory documents such as proof of identity, address, photograph and payment of the appropriate fee.
- 2.2 In line with criteria laid down for local authorities, badges will be issued for a period of 3 years, unless the applicant is in receipt of an automatically qualifying benefit where the duration is less than 3 years, (in which case the expiry date of the badge will match the benefit award). There is no provision to issue temporary badges (e.g., for a temporary mobility issue such as a broken leg or during a recovery period).

- 2.3 Applicants in receipt of Personal Independence Payment (PIP) (see 7.2) scoring 10 points with descriptor E under 'planning and following a journey' (unable to undertake any journey because it would cause overwhelming psychological distress) will be assessed as automatically eligible in line with the new automatic criterion introduced by the DfT.
- 2.4 Applicants who receive 10 points under "planning and following a journey" with a different descriptor, or 12 points under this category will not be automatically eligible (again in line with DfT guidelines). These applicants must provide a full application and corresponding evidence for further assessment (see 2.6) and some who have held Blue Badges for many years due to automatic eligibility under DLA (see 7.3), will be found not eligible based on their mobility assessment under PIP.
- 2.5 Applicants not meeting the automatic criteria (known as 'with further assessment') are required to complete a full application form and provide medical evidence to support their application. The evidence must be from a specialist (as defined by section 4.3 of the DfT's Blue Badge Scheme Local Authority Guidance (see 7.1)), rather than a GP. Other information held by Norfolk County Council about the applicant may be checked and used to determine eligibility. This would generally include social care records or previous Blue Badge applications. For example, if an applicant has had an assessment with an Occupational Therapist recently, which details their mobility, this information will be used to make a decision.
- 2.6 If following their desk-based assessment the decision-making officer is unable to reach a decision, the case will be passed to a suitably qualified Expert Assessor to conduct a telephone or face to face mobility assessment to determine eligibility. However, these kinds of mobility assessments may not be appropriate for applicants who are able to walk but who experience, during the course of a journey, another considerable difficulty whilst walking or pose a risk of serious harm to themselves or others. Face to face assessments will not be used for applicants applying under the non-visible ('hidden') disability criteria and for whom this would create additional distress or risk.
- 2.7 All successful applicants (apart from those that meet the Armed Forces Covenant) must pay £10.00 toward the cost of their blue badge (this is the maximum allowed in England by the DfT and is to cover some of the cost of administration).

- 2.8 The final decision on eligibility is for the issuing authority to make, drawing on the information provided, and where applicable, the expertise purveyed by the expert assessor. The DfT has no power to intervene in decisions in individual cases.
- 2.9 Each application will be considered solely on its merits in relation to the scheme eligibility criteria, regardless of condition.
- 2.10 All applicants assessed as eligible will be issued with a copy of “The Blue Badge Scheme: rights and responsibilities in England” booklet when they are issued a badge (see 7.4).

3. Reapplications

- 3.1 All applicants will need to reapply for a new blue badge before their current badge expires. The applicant will be required to complete a full application and provide all requested documentary evidence so their status in relation to ongoing eligibility for a badge can be assessed.
 - 3.2 In the absence of any set guidance and to make the reapplication process as straightforward as possible for applicants, previous records will be reviewed to see how the applicant was initially assessed whether the assessor recommended the need for re-assessment upon reapplying or marked the applicant as ‘not for further assessment’.

4 Reviews and appeals

- 4.1 Unsuccessful applicants can request a review of the decision. Reviews will be conducted independently of the initial decision maker or expert assessor. There is no statutory requirement to operate an appeal process but as an additional safeguard, if following review an applicant is found not eligible, they may appeal the decision. Appeals will be carried out by the Contact Centre Delivery Manager and the Blue Badge & Processing Team Manager (Customer Services). In some circumstances the applicant may be asked to provide further information to support their initial application or be asked to attend a mobility assessment.
- 5 If after appeal an applicant is still not determined as eligible, they can make an official complaint, and then contact the Local Government Ombudsman (LGO). The LGO does not have the power to overturn decisions, only to investigate the process. Eligibility decisions can only be made by the relevant officer. Elected members may wish to support individuals in their applications, reviews or appeals, but there is no scope for elected members to be part of the formal decision-making process.

5.1 Lost, stolen and replacement badges

- 5.2 Holders of blue badges issued by Norfolk County Council which are lost or stolen must report this to the council and will be asked to complete a declaration form.

- 5.3 On receipt of a declaration, the badge will be cancelled on the national blue badge database and subsequent use will constitute misuse.
- 5.4 Applicants wishing to change the details on their badge (for example, the photograph or name) will also be asked to complete a declaration and provide relevant documentary evidence.
- 5.5 Replacement badges, including those issued to replace lost or stolen badges and also to change details, will be subject to a £10 fee unless the need for replacement was caused by the authority (for example due to an administrative error).
- 5.6 Badges with less than 6 weeks to run before expiry will not be replaced and the badge holder will be asked to apply for a new badge
- 5.7 Badges which have been declared lost or stolen and replaced but which are subsequently recovered or found should be returned to the authority. No refund will be issued.

6.0 Enforcement

- 6.1 Consistency in the provision of enforcement is enabled by consistent application of eligibility criteria when badges are issued
- 6.2 Enforcement is conducted in accordance with:
- 6.2.1 Chapter 7 of the DfT document “The Blue Badge Scheme Local Authority Guidance (England)”. This guidance was updated in September 2019 to accommodate enforcement for the new non-visible (‘hidden’) disabilities, and
 - 6.2.2 the CES Enforcement Policy and its Annex 5: Blue Badge Enforcement Protocol, which are reviewed and approved by Members on an annual basis, most recently in December 2019 (see 7.5).
- 6.3 The Blue Badge enforcement officer’s role includes, as part of on-street enforcement, education on use of the blue badge by blue badge holders, ensuring they understand the rights and responsibilities of the scheme, and relevant highways legislation (see 7.1). All badge holders are provided with “The Blue Badge Scheme: Rights and Responsibilities” booklet (last updated in 2017) when they are issued with a badge (see 7.4).
- 6.4 The Blue Badge Enforcement Officer will share intelligence with the Blue Badge team if there are doubts on a holder’s eligibility, which will then be investigated by the Blue Badge issuing team, usually by means of mobility assessment.

- 6.5 Enforcement for misuse of a blue badge includes enforcement against the driver of a vehicle who may not be the blue badge holder using the badge inappropriately, with or without the holder's permission. Where such enforcement is undertaken, the badge-holder (or their parent/guardian if they are under 18) will be reminded that continued allowance of misuse could result in withdrawal of the badge.
- 6.6 Data collected during enforcement will be stored in accordance with the requirements of the General Data Protection Regulation (EU) 2016/679, the Data Protection Law Enforcement Directive (EU) 2016/680 and the Data Protection Act 2018.
- 6.7 Results of enforcement action undertaken are published on the Norfolk County Council website and enforcement data is provided during the annual review.

7.0 References

7.1 [Blue Badge scheme local authority guidance \(England\)](#)

7.2 [Disability Living Allowance \(DLA\) for adults](#)

7.3 [Personal Independence Payment \(PIP\)](#)

7.4 [The Blue Badge scheme: rights and responsibilities in England](#)

7.5 [CES Enforcement Policy](#)