

Committee:	Date:
Planning and Transportation	4 June 2013
Subject: Disabled Persons' Parking Badges Act 2013	Public
Report of: City Remembrancer	For Information
<p><u>Summary</u></p> <p>The report summarises the main provisions of the Disabled Persons' Parking Badges Act 2013 which originated as a Private Member's Bill introduced by Conservative MP Simon Kirby.</p> <p>Recommendations</p> <ul style="list-style-type: none"> • Members are invited to note the contents of this report 	

Main Report

Background

1. This Act originates from a Private Member's Bill introduced by the Conservative backbencher Simon Kirby and amends the Blue Badge scheme for disabled persons.
2. The substantial financial value of Blue Badges is contributing both to increasing demand for badges and the incentive to commit fraud and abuse of the scheme. This includes the forgery of badges, the failure to return or the continued use of badges after the validity period has expired or after the death of the badge holder, and the misuse of genuine badges by unauthorised persons in circumstances in which the disabled badge holder does not obtain any benefit. The Act represents the final part of a programme of reforms – developed in cooperation with local authorities and disability groups – intended to modernise and improve the scheme by addressing limitations in the current legislation.
3. The Bill faced an unusual journey through Parliament for a Private Members' Bill in that it received Royal Assent in the same form it entered Parliament and having received very little criticism.

Effect of the Act

4. This Act removes the requirement for the Secretary of State to prescribe in regulations the form of a parking badge and replaces it with a requirement that badges "must be in a valid form" which will be specified under secondary legislation. Currently, the requirement for the Secretary of State to prescribe the badge design in regulations has the effect of requiring the disclosure of certain high-security features of the badge which ought not to be a matter of public record. This could compromise the security of the scheme. The changes allow for greater flexibility to react quickly in circumstances in which it becomes necessary to change the badge design in order to frustrate forgery.
5. The Act will also, for the first time, give local authorities the power to cancel a badge and prohibit it being displayed on any vehicle. The police or enforcement officers are given powers to retain badges that have been cancelled or which are fraudulent. The

definition of an enforcement officer is extended to include any appropriately authorised employee or contractor engaged by a local authority. This will allow council officers and contractors to be used to supplement police checks.

6. The Act will come into force on a date yet to be specified under secondary legislation.

Impact on the City of London

7. Along with the City of Westminster, Kensington & Chelsea, and parts of Camden, the City is exempted from the full obligations of the national Blue Badge scheme but does offer some concessions for badge holders. In its place, the City has a Red Badge Scheme for which residents and City workers can apply. Members will wish to note that this Act will not impact on that scheme or, therefore, on the City of London for as long as the scheme continues.

Contact:

Bruce Hunt

020 7332 1196

bruce.hunt@cityoflondon.gov.uk