



Hastings & Rother Disability Forum

**Blue Badge
Parking Meeting
28.9.05**

**Report
October 2005**

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Introduction

At a Hastings Borough Council Cabinet meeting on 29.11.04 it was decided to charge blue badge holders (who were not parked in a designated parking bay) for parking in off-street car parks. According to the report of the meeting, this was based on a need to increase the revenue from parking; as the report says:

“Possession of a disabled badge is not a means tested benefit and possession of a badge is not therefore necessarily an indication of financial hardship.” (See 4.)

It appeared to HRDF that the charges were levied to generate income from disabled people; who generally have lower incomes, have a strong reliance on income from state benefits and often have high levels of disability related expenditure. Indeed the government report entitled *“Improving the Life Chances of Disabled People”* states that

“disabled people are more likely to live in poverty – the income of disabled people is, on average, less than half that earned by non-disabled people.” (See References: 6.).

The Access Group were informed of the changes by Rasoul Shahilow at their meeting on 9.11.04. The co-chair of the Access Group is reported as stating that he was not in favour of the ‘first come first served policy intended’. The meeting also expressed concern about holiday visitors filling the spaces and the height of the barriers which prevented some disabled people with transit van type vehicles having equal access to the car parks. It was stated in the minutes of the Cabinet Meeting that: *‘Hastings is currently in the minority of local authorities, as most local authorities now charge disabled badge holders’*. (See References: 4) However, both Rother District Council and Eastbourne District Councils offer concessionary tickets to those disabled people with road tax exempt tax discs, which are available to more severely disabled drivers.

The Forum then started to receive letters from disabled people expressing their concerns about the changes to the regulations. Some people suddenly received a parking ticket for parking in the same place that they had always parked and correctly displaying their

blue badge. Also blue badge parkers who hadn't actually required the larger space and usually parked in a standard space, were now parking in a designated space in order to take advantage of the three hours free parking, to which they were entitled, which meant that wheelchair users were being forced to park in a standard space and possibly endangering themselves by making an unsafe transfer to their wheelchair, which could be some distance from their car door and then having to pay for parking in this space.

Given the amount of extra time it takes a wheelchair user to get around town and access the facilities in the town, the three hours free parking seemed to take this into account and level the playing field for disabled and non-disabled visitors to the town. A lot of disabled people have cars and drive into town because public transport is generally inaccessible to them. According to the 2001 census report of Hastings, the town has above the national average of disabled people. (See References: 1.) This should mean an increase of designated disabled bays in excess of that required by regulations.

After a while of receiving the letters and emails complaining about the new system, it was decided to hold a public meeting at which disabled people could have their voices heard by the decision makers, as widespread consultation was not undertaken at the time that the decision was made.

The Panel

Hastings & Rother Disability Forum invited Councillor Jay Kramer (Deputy Leader of Hastings Borough Council and Chair of the Equalities Group of the Local Strategic Partnership) to chair the meeting. We invited Councillor Godfrey Daniel (Cabinet Member for Environment, Safety, Transport & Forward Planning, Hastings Borough Council) who had been present at the meetings on 9.11.04 and 29.11.04 and who has a blue badge himself. Rasoul Shahilow (Parking Services Manager, Hastings Borough Council) who has been involved in parking for 14 years and who set up the review group to look at parking concessions in 2004. Paul Borthwick, co-chair of the HRDF Access Group was also asked to be present.

The Venue and the format of the meeting

We chose Marlborough House Café to host the meeting as it is situated within a Housing Association owned and managed group of flats which are largely occupied by elderly or disabled residents. HRDF hold monthly management committee meetings at the flats and find it a comfortable and convenient setting. We are also aware that the residents of Marlborough House are under represented as members of HRDF and we would like to make membership of the Forum accessible to them too. We have recently taken in some copies of our newsletter and are going to hold another consultation meeting in October at Marlborough House Café on the services offered by the Adult Social Care Team of East Sussex County Council.

We chose the format and asked for questions in advance in order that the meeting could be made accessible to those using the services of an interpreter. Although this made the event appear staged and inhibited spontaneous questions from the floor, it enabled those people who were unable to be at the event to have their questions asked of the panel. Some very skilful chairing of the meeting enabled both the scheduled questions and a few from the floor to be put to the panel. Our Chair had previously chaired meetings where an interpreter was working. She therefore had a good understanding of the issues involved. It became clear very early on that a public address system is required for these kinds of meetings as some people were unable to hear everything that was being said. Around 60 people attended the meeting and apologies and questions in advance were received from at least another 20. HRDF has gained 12 new members from this meeting and the publicity has raised our profile in the community.

The questions

Some of the questions overlapped, which indicates that a lot of people are experiencing similar difficulties with the new system.

On Street Parking

Cllr. Daniel pointed out that on street parking at a meter permits blue badge holders to park all day, free of charge. (A parker must just display the blue badge but not the clock in order to do this.) Since 1998, the Council have prevented parking on the pavement and installed a lot more dropped kerbs in and around the town. Paul pointed out that there is a difficulty for wheelchair users using on street parking in that

there is rarely a dropped kerb at these points, which would enable a wheelchair user to climb on to the pavement.

Off Street Parking

Rasoul pointed out that Hastings Borough Council have doubled the number of designated disabled bays in the town and made them longer and wider. The Council has made the parking ticket machines accessible to all. The council has added 60 new designated disabled spaces in the town's off street car parks making a total of 105 spaces, which Cllr. Daniel informed the meeting was above the national recommended number of designated spaces, which should be 6% of the total spaces. A specific question about the car park behind ESK: you can park in here for 3 hours in designated bays free of charge. Cllr Daniel asked disabled people to inform the Council if they have difficulty accessing the parking meters. There is some concern about the height of the coin slot and whether wheelchair users can reach this. Cllr Daniel and Rasoul asked for feedback on specific sites where people are having difficulty paying. There is apparently no regulation that applies to the height of the ticket machines. (Although if for example a wheelchair user was unable to reach the coin slot, this would be covered by the Disability Discrimination Act Legislation.)

Revenue

Rasoul informed the meeting that at the end of the day, the parking revenue keeps Council Tax rates down and Cllr Daniel said that without these charges, Council Tax would have to be increased by 25%. Cllr. Kramer said that the income and expenditure figures for the Council are a matter of public record and the budget figures can be supplied. Hastings Borough Council retains the revenue from off street parking and the revenue from on street parking is split between the Borough Council and the County Council 50:50. Rasoul said that since May (when the council started fining parkers who were parked incorrectly whilst displaying a blue badge) they had raised £7000 in parking fines. He also said that the cost of improving the car parks amounted to £13000.

Information

Paul noted that people have been fined for misunderstanding the new rules and that there has been a lack of clear information from Hastings Borough Council about the new regulations. Rasoul said that the

Council is working on a new guide, which will explain where the car parks are and where the bays are and how long you can park in them. They hope this will rectify the situation.

Blue Badges and tax exempt vehicles

On the question of offering free parking to tax exempt vehicles: Rasoul said that only 5% of vehicles are tax exempt and this would discriminate against the remaining 95% who aren't road tax exempt. Additionally, they had thought about the signage required to convey this information and decided that it would be difficult and expensive to change all the signs. Cllr. Daniel said that the Council had made a conscious decision to treat all blue badge holders the same. A question had been asked about how many members of the council's staff and councillors had blue badges. The Panel did not have that information but 17 members of staff are covered by the Disability Discrimination Act legislation and at least 3 councillors, maybe more have a blue badge.

Designated bays

A question from the floor was asked about wheelchair users being charged to park in a non designated space that didn't meet their access needs and Cllr. Daniel reminded the meeting that blue badge holders can park all day for no charge at on street parking areas regulated by meters.

Traffic Wardens

A question from the floor was asked about the links between the council and the traffic wardens. Rasoul informed the meeting that the wardens come from a different department of the council but that they do work closely together. When the Traffic Warden starts work, they are given two weeks intensive training about the parking regulations. Before they are allowed to patrol the streets, they are given a test; at which they must score over 90% proficient in all the regulations. They are also given on the job training. Paul pointed out that members of HRDF have challenged Traffic Wardens on the regulations and they seem unclear often with two Traffic Wardens giving different replies to the same question.

Appeals

Rasoul pointed out that you can appeal against parking fines and that the Council allows an appeal for a genuine mistake once only and then the fine must be paid. If an appeal is disallowed, then you have the right to take it to another stage.

Other legislation

A question was asked about whether Hastings Borough Council required the approval of the County Council before changing their regulations or whether they contravened the Disability Discrimination Act in some way. The reply was that the new parking regulations do not conflict with the Disability Discrimination Act and neither is the council required to seek the authority of East Sussex County Council before the charges are changed.

'The Price is Right' and public consultation

It was observed that the Council holds a very narrow view when it comes to parking charges because they are blaming the Audit Commission Report 'The Price is Right' for these changes and that disabled people weren't widely consulted. Cllr. Kramer pointed out that the Council does work closely with consultation groups and that they do not implement changes in either a sneaky or underhand way. Cllr. Daniel pointed out that the Access Group had recommended that the Council either charge **all** blue badge holders or **none** of them to take away the first come first served system and to reduce any confusion about who should pay and who shouldn't but the council decided against taking that recommendation. Paul pointed out that there is a need to consult with a wider audience than just the HRDF Access group when it comes to consulting with disabled people. Cllr. Kramer said that maybe the Council needs to hold more consultation meetings.

People abusing designated bays

Rasoul described a 'zero tolerance' policy for people who park in disabled bays without displaying a blue badge.

Height of Barriers

In response to a question about the height of the barriers on car parks and the difficulties faced by disabled people using transit type vehicles in accessing the town centre car parks, Cllr Daniel said that this was to deter travellers and people staying overnight in the car parks. Cllr. Kramer said that she would look into this matter.

The meeting closed at 9 pm with a vote of thanks to the panel; to Marlborough House for hosting the event; to HRDF for organising the event and to all who attended for the beginning of a useful dialogue between the Council and disabled people.

Recommendations for Hastings Borough Council:

- That in future, Hastings Borough Council produce a leaflet describing the changes to any regulation **BEFORE** implementing the changes.
- As the changes have already been made, that Hastings Borough Council now produce a clear leaflet in a variety of formats describing the changes as a priority and distribute the leaflet widely throughout Hastings.
- More efforts need to be made to consult with disabled people – the Access Group has opinions on the views of disabled people and their access needs but by mentioning changes that are due to take place within the Access group does **not** mean that you have consulted with disabled people.
“All people have rights to social justice and to participate in decision-making processes and local action.” Additionally
“Positive steps should be given to working with people whose full participation in society is limited by economic, political and social disadvantage.” (See References: 5.)
- Attention should be paid to the Compact and HRDF’s Consultation Policy (See References: 2) when the views of disabled people are sought:
“Subject to considerations of urgency or confidentiality consult the sector on issues likely to affect it prior to any implementation. Such consultation should allow reasonable time scales for response (12 weeks is recommended) taking into account the needs of organisations to consult their users, board members or other structures of accountability.”

(See References: 3.)

- Resources should be made available to Hastings & Rother Disability Forum as the main consultative body in Hastings regarding disability issues, in order for us to effectively consult with our constituency.

Recommendations for Hastings & Rother Disability Forum

- To purchase a loop system and public address system to make meetings we hold more accessible.
- To build on the success of this format of consultation – in order to consult more widely on other issues.
- To move our consultations into the community.
- To work in collaboration with Hastings Borough Council on their parking leaflet.
To try to develop the membership of the Access Group by inviting those who have expressed an interest in access issues to join the group.
- To recommend to disabled people that contact us relating to parking matters to direct their letters to Rasoul Shahilow and to appeal against parking tickets, which appear to have been issued unfairly.

References

1. Executive Summary, *Census information*, 2001.
2. Hastings & Rother Disability Forum *Public Consultation Policy* July 2005.
3. Hastings Borough Council, *Draft Compact Governing Relations between Hastings Borough Council and the Voluntary / Community Sector* , August 2002.
4. Hastings Online – Meeting Report – Review of Off Street Parking Charges 29.11.04
5. Hastings Voluntary Action, *The Voluntary Sector Compact A Quick Guide*: November 2003.
6. Prime Minister’s Strategy Unit, *Improving the life chances of disabled people*, January 2005.

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