

<b>Name of the activity being assessed</b>	<b>Review of the Council's Residential Disabled Parking Bay Policy</b>		
<b>Directorate / Department</b>	Regeneration	<b>Service</b>	Highways
<b>Assessment Author</b>	Martin Eden		
<b>Is this a new or existing activity?</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	<b>Responsible manager / director for the assessment</b>	Martin Eden
<b>Date EIA started</b>	14/06/2019	<b>Implementation date of the activity</b>	02/09/2019

**SECTION 1 - ABOUT YOUR ACTIVITY**

<p><b>How was the need for this activity identified?</b>          i.e. Why are we doing this activity?</p>	<p>Local authorities have powers to install parking bays for use by disabled people. Holders of Blue Badges, or their representative, may apply for a bay to be installed near their home, which the Council will provide in certain circumstances, taking account of the applicant's requirements and highway safety. These bays are not for the sole use of the applicant but Blackburn with Darwen is preparing a Traffic Regulation Order that will enforce use of the bays by Blue Badge holders only. Until implemented, the bays are advisory and may be used by any driver.</p> <p>The current policy for Disabled Parking Bays in residential areas across Blackburn and Darwen was introduced in 2000. Since then, the number of applications for a residential disabled parking bay has increased significantly with the Council receiving approximately 70 new applications each year.</p> <p>There are considerable and increasing costs and resources spent on the provision of residential disabled parking bays including; the cost of administering the scheme; carrying out site inspections, consulting with neighbours and installing the disabled parking bay. It costs the Council £1128 to process and install a Residential Disabled Parking Bay. However, the Council receives approximately 70 applications a year for a RDPB, resulting in an estimated annual cost of £78,960. The current policy for RDPB is unsustainable and unaffordable within the departments cash limited budget.</p> <p>The increase in residential disabled parking bays has an adverse impact on residents who live on the same street where multiple RDPBs are present as these bays take up the majority of the available parking space on the street. The increase in residential disabled bays is also affecting traffic flow in some areas of the borough where there are multiple residential disabled parking bays within a short span of the public highway. That they will no longer be advisory and will be restricted to Blue Badge holders only may put additional pressure on parking in some streets, even where disabled spaces have been respected by residents.</p> <p>The proposals are to introduce a minimum separation distance between existing and new bays to prevent a proliferation of bays that may lead to parking and other highway problems and to introduce a charge for the laying out of new bays and refreshing of existing bays to reduce pressure on Council budgets and enable the authority to continue to provide this valuable service to as many eligible applicants as possible.</p>
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	A Local Authority may levy charges for discretionary services under Section 3 of the Localism Act 2011 or Section 93 of the Local Government Act 2003 (2003 Act). The aim of the Section 93 of the 2003 Act is to allow local authorities to recover the cost of providing services or improvements to services that they might not otherwise have been able to justify providing or been in a position to provide, for example, due to financial constraints).		
<b>What is the activity looking to achieve?</b>	Introducing a more effective system for managing the increasing requests for Residential disabled parking bays		
<b>What are the aims and objectives?</b>	Providing fair opportunities for people with a disability and for residents to park on-street		
	Reducing the impact multiple RDPBs in the same street can have on traffic flow		
	Ensuring that the costs of providing RDPBs is affordable within the limited resources available		
<b>Services currently provided</b> (if applicable)	The Council currently provides residential disabled parking bays, the service includes; administering the application process and obtaining the relevant documentation from applicants; carrying out site inspections at the location where the bay is proposed, consulting with neighbours and installing the disabled parking bay.		
<b>Type of activity</b>	<input type="checkbox"/> Budget changes	<input type="checkbox"/> Decommissioning	<input type="checkbox"/> New activity
	<input checked="" type="checkbox"/> Change to existing activity	<input type="checkbox"/> Commissioning	<input type="checkbox"/> Other [please state here]

## **SECTION 2 - UNDERSTANDING YOUR CUSTOMER**

### **What resources will support in undertaking the equality analysis and impact assessment?**

*Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.*

The findings and results of two public consultation processes which were undertaken in January and May 2019

Department for Transport, Blue Badge Scheme Local Authority Guidance (England), 2019

House of Commons, Briefing Paper Number CBP 1360, 16 August 2018 Blue Badges and parking for disabled people in England

Department for Transport, Manual for Streets, 2007

### **Who are you consulting with? How are you consulting with them? (Please insert any information around surveys and consultations undertaken)**

The Council has undertaken two robust public consultation processes on the current policy regarding residential disabled parking bays in January and May 2019 to gather residents' views on the provision of residential disabled parking bays (RDPBs).

The consultation was designed to gather views from all interested parties, but targeting specifically people who use RDPBs and those people who don't use a RDPB but who live on a street where RDPBs are located.

The January consultation saw paper questionnaires posted to the 670 Blue Badge holders who had a residential disabled parking bay, or who had had one approved, as well as a random selection of 1,000 addresses in the vicinity of a residential disabled parking bay; also an online questionnaire was promoted on Twitter and Facebook. Following analysis of the responses to the consultation, it was identified that only a relatively small number of residents living on a street with a residential disabled parking bay had responded to the consultation. In order to better understand the opinions of this group, a targeted non-user follow up

consultation was undertaken in May 2019.

In total **573** responses were received during to the January consultation, a further **125** responses were received during the May targeted non-user consultation

### Who was consulted?

- Questionnaires were sent out directly to households recorded as having a disabled parking bay.
- Additionally, Blue Badge Holders in the borough were also sent a questionnaire.
- Questionnaires were sent directly to addresses on specific streets in the borough where there are disabled parking bays nearby.
- Paper copies were also made available at key locations, such as libraries, council building receptions and potentially via other organisations such as Age UK, DWP etc. These questionnaires were available for anyone interested in taking part.
- For general responses an online version of the questionnaire was set up using SNAP software, administered by the Corporate Policy, Research and Partnerships team. Again, this online questionnaire was available for anyone interested in taking part.
- All paper copies of questionnaires contained a web link to enable the responder to provide their views on line if they so wished.

### What Questions were asked?

Questionnaire included an introductory covering letter.

Question content included:

- About disabled parking bay use or non-use:  
e.g. Whether the person or household has a disabled parking bay outside their property / or uses a disabled parking bay on their street / there is a parking bay outside their property but it is not used by them / other people on their street have and use disabled parking bays etc. Presented as tick box question.
- If they use a disabled parking bay – have they experienced any issues / benefits related to the parking bay (e.g. parking bay used by others) Presented as a multiple choice question.
- If they do not use a disabled parking bay – have they experienced any issues / benefits related to the parking bay (e.g. no issues, congestion / traffic flow issues, difficulty parking) Presented as a multiple choice question.
- Parking in the area generally, other than outside the house are there other options for parking? Such as unused land, car parks etc?
- Currently there is no charge for residential disabled parking bays – views on introducing a charge for parking bays. Options presented as tick box question.
- Currently no specified restrictions on the number of parking bays – views on introducing criteria such as a minimum distance between RDPBs or a percentage of the available parking space being set aside for RDPB. Options presented as tick box question.
- Any other comments about disabled parking bays in the Borough. Presented as open ended question for comments.

### Analysis and reporting

Reporting was done via the online survey software SNAP (by Corporate Policy, Research and Partnerships) providing breakdowns for demographic groups, where appropriate.

<b>Who does the activity impact upon?*</b>	Service users	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly
	Members of staff	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly
	General public	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Indirectly


	Partner organisations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Indirectly			
<p><b>Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?*</b></p> <p><b>The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)</b></p>	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input checked="" type="checkbox"/> Carers
	No impact	<input checked="" type="checkbox"/> Age	<input type="checkbox"/> Disability	<input checked="" type="checkbox"/> Gender reassignment	<input checked="" type="checkbox"/> Marriage & Civil Partnership	<input checked="" type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input checked="" type="checkbox"/> Race	<input checked="" type="checkbox"/> Religion or belief	<input checked="" type="checkbox"/> Sex	<input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers

**\*If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*  
***A public authority must have 'due regard' (i.e. consciously consider) to the following:***

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
<b>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act</b> <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	There is no requirement as to the provision of parking in the Equality Act 2010.
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not</b> <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	Provision of residential disabled parking bays enables people with a disability to participate in essential economic, social, cultural and leisure activities.
<b>Foster good relations between people who share a protected characteristic and those who do not</b> <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	Management of residential disabled parking bay provision is intended to foster good relations by balancing the requirements of people with a disability and those without.

ASSESSMENT	Is a full EIA required?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			
<p>A full EIA is required as the Executive Board report recommends that the Council introduces a minimum distance of 40m between RDPBs which could restrict the number of RDPBs on the same street in wards across the Borough. It further recommends that successful applicants are charged £120 towards the cost of laying out a new bay and £60 towards the cost of repainting an existing bay every 3 years.</p>			

<b>Author Signature</b>	Gwen Kinloch	<b>Date</b>	<b>03/07/2019</b>
<b>Head of Service/Director Signature</b>		<b>Date</b>	<b>03/07/2019</b>

*The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.*

Departmental E&D Lead Signature	D.J. Andrews	Date	03/07/2019
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## FULL EQUALITY IMPACT ASSESSMENT

### SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

**N.B.** Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If restrictions are placed on the number of residential disabled bays located on a street this could disadvantage a disabled person if they were refused a bay because there was another bay within 40m of the proposed location of the bay which they have requested.	
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Vulnerable Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Deprived Communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Some potential applicants may not be able to afford the contribution towards the cost of a new bay or repainting of an existing bay.	

<b>Carers</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If restrictions are placed on the number of residential disabled bays located on a street, the carer may have to provide more support for the disabled person they are caring for.	
<b>Other [please state]</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

<b>Does the activity raise any issues for community cohesion?</b>	No
<b>Does the activity contribute positively towards community cohesion?</b>	
<b>Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found <a href="#">here</a></b>	<p>Article 8 of the Human Rights Act protects the right to respect for private and family life.</p> <p>The concept of private life covers the right to develop personal identity and to forge friendships and other relationships. This includes a right to participate in essential economic, social, cultural and leisure activities. In some circumstances, public authorities may need to help individuals enjoy their right to a private life, including their ability to participate in society.</p> <p>In this regards, the Council provides on-street residential disabled parking bays, for those who apply and qualify.</p> <p>This right, however, may be limited in certain circumstances, for example, where the local authority has to strike a balance between a person's private rights and the needs of other people or society as a whole.</p> <p>This is the case here where the Council has to balance demand for residential disabled parking bays, the needs of other residents and the safe flow of traffic. The Council may also use its discretion as to how it allocates its limited resources in respect of such rights.</p>
<b>Does the activity support / aggravate existing departmental and/or corporate risk?</b>	The activity aims to mitigate against the risk that the Council is unable to deliver or sustain service delivery, which is already included in the Environment & Operations Department risk register.

## CONCLUSIONS OF THE ANALYSIS

### Action following completion of the impact assessment

*It is important that the correct option is chosen depending on the findings of the analysis.  
The action plan must be completed as required.*

<input type="checkbox"/> No major change in the activity	<input type="checkbox"/> Adjust activity	<input checked="" type="checkbox"/> Continue with activity	<input type="checkbox"/> Stop and reconsider activity
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**Please explain how you have reached your conclusion**

There is a need to introduce a mechanism to manage the proliferation of residential disabled parking bays where the concentrations are putting undue pressure on on-street parking, which in turn is leading to other highway problems such as congestion and road safety, and together putting strain on the Council's finances. The proposed separation distance of 40 metres is designed to prevent future, unsustainable clusters of bays. The distance was selected as that which a person can walk at slow pace, including any stops to rest, in one minute or less (as given as a guide in the Blue Badge Scheme Local Authority Guidance (England) from the Department for Transport in 2019). It is equivalent to 8 terraced properties. The Department for Transport's Manual for Streets recommends that 5% of residential car-parking spaces are designated for use by disabled people, with a higher percentage likely to be necessary where there are proportionally older residents, to share the common resource and prevent highway safety problems.

The proposed fee of £120 will meet around 10% of the cost of assessing and installing a residential disabled parking bay, the charge will only be levied on successful applications. Blue Badge holders must re-apply every 3 years to renew their Badge and will be required to renew their bay application at the same time. A renewal fee of £60 will be charged to process the application and to upgrade the line markings on the bay to ensure the line markings of the bay are visible. The fees will help the Council meet the increasing demand for residential disabled parking bays. The requirement for upgrading the line markings will help to identify bays that are no longer needed and can be removed or re-allocated.



**ACTION PLAN**

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date
1	If restrictions are placed on the number of residential disabled bays located on a street this could disadvantage a disabled person and/or their carer if they were refused a bay because there was another bay within 40m of the proposed location of the bay which they have requested.	The revised criteria will apply to new applications only. Applications to renew existing bays will be allowed	None	Parking Services	On-going
2		Assess use of existing bays in the vicinity of an application to ensure there are no redundant bays that could be removed and a new one provided.	Officer time and finance to remove redundant bays, when necessary.	Parking Services	On-going
3		Assess whether there is any possibility of creating a disabled bay in an adjacent public car park in Council ownership	Officer time	Parking Services	On-going
4	Some potential applicants may not be able to afford the contribution towards the cost of a new bay or repainting of an existing bay.	The income is to help the Council install/renew as many bays as it can to meet need and identify redundant bays that can be removed or reallocated. The fee is for installation or refreshing of a bay. It will not be levied on the application, which may not be successful. Applicants who are unable to afford the fee will be signposted to sources of financial assistance.	Officer time	Parking Services	On-going

**MONITORING AND REVIEW**


The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

If applicable, where will the EIA Action Plan be monitored?

	The EIA Action Plan will be monitored by the Service Management Team
How often will the EIA Action Plan be reviewed?	The Action Plan will be reviewed annually
When will the EIA be reviewed?	The EIA will be reviewed every three years.
Who is responsible for carrying out this review?	The Director of Environment & Operations

**SIGN-OFF**

<b>Author Signature</b>	<b>Gwen Kinloch</b>	<b>Date</b>	<b>03/07/2019</b>
<b>Head of Service/Director Signature</b>		<b>Date</b>	<b>03/07/2019</b>
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
<b>Departmental E&amp;D Lead Signature</b>	<b>D.J. Andrews</b>	<b>Date</b>	<b>15/07/2019</b>