



Ein cyf/Our ref LW/00206/22

Jack Sargeant MS
Chair - Petitions committee

21 March 2022

Dear Jack,

Thank you for your letter of 27 January on behalf of the Petitions Committee regarding, Petition P-06-1258 Make individuals in Wales with Hidden disabilities eligible for the Blue Badge.

As you are aware, the Blue Badge Scheme provides parking concessions for people who have severe challenges to their mobility to enable them to access services and facilities thus enabling them to live independently. The primary legislation is the Chronically Sick and Disabled Act 1970 which places duties on local authorities to deliver the scheme in their area. The secondary legislation is the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000 as amended, which sets out requirements such as the eligibility criteria, form of badge, and issue period.

The statutory eligibility criteria are based on challenges to mobility in line with the social model of disability as adopted by Welsh Government. Eligibility is not generally linked to diagnosed medical conditions as these can demonstrate a wide range of symptoms.

Further research on eligibility was undertaken on a national basis and specifically for Welsh Government in 2012. We also undertook a number of public consultations to seek views on extending eligibility. Wales has one of the widest eligibility in the UK and has made secondary legislation to extend eligibility to:

- children under the age of three who have a condition that means they require bulky medical equipment or quick access to a vehicle to provide lifesaving treatment;

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

- those who receive specific assessments as part of their Personal Independence Payment (PIP) to capture physical and cognitive impairments;
- those who due to a cognitive impairment are unable to undertake any journey without assistance;
- those with temporary impairments that last at least a year and meet the with further assessment walking criteria.

The scheme has been subject to many reviews, reports, consultations and regulations since 2002 when the UK Disabled People Transport Advisory Committee (DPTAC) reported on the scheme. Further research for eligibility criteria on a UK basis was undertaken in 2007 by Transport and Travel Research Ltd and Rob Smith and in 2008 by Faber Maunsell. In addition, Welsh Government commissioned research by Halcrow in 2012 to consider extending eligibility for people with cognitive impairments.

Welsh Government consulted on an Action Plan to modernise the Blue Badge Scheme in Wales which was published in 2010. We also undertook public consultations on changes to the scheme in 2008, 2010, 2011, 2012, 2013 and 2016. Two specific expert groups were set up in 2013 and 2015 to consider issues, including extending eligibility for people with cognitive impairments and for temporary mobility impairments.

The eligibility legislation was last amended in 2017 when the cognitive and temporary impairment criteria were included. A number of specific conditions have also been considered as possible eligibility criteria through research. However, subsequent reports have noted that they should not be included in the eligibility criteria as they are not appropriate. For instance:

- Bowel and bladder incontinence relies on the availability of a toilet not parking concessions and people with such conditions can access 'I can't wait' cards. The national Key scheme (NKS) offers disabled people independent access to locked public toilets around the country. Toilets fitted with NKS locks can be found in shopping centres, pubs, cafes, department stores, bus and train stations and many other locations in most parts of the country. These can be obtained by third sector organisations.
- People with mobility impairments that last less than 12 months as they would outnumber current badge holders and the scheme would be unsustainable and lose credibility.

In April 2019 the Equality, Local Government and Communities Committee of the Senedd issued a call for evidence on the Blue Badge scheme in Wales and it was agreed that a review would be held with the following aims:

- Research the current eligibility criteria for a blue badge, and in so doing, consider whether the eligibility criteria should be widened.
- Research the robustness of the assessment processes employed by local authorities.

Pending the recommendations of the research, changes to the eligibility criteria could be considered.

Extending eligibility is a sensitive issue that requires balancing the needs of current eligible badge holders with those who may benefit from a badge, but whose access to services and facilities is not totally reliant on the scheme.

You may also be interested to know that following the [Blue Badge Scheme in Wales: Eligibility and Implementation Inquiry](#) in 2019, research is to be undertaken in the near future. This research aims are firstly to review the current eligibility criteria for a blue badge, and in so doing, consider whether the eligibility criteria in Wales should be widened. Secondly, to review the robustness of the assessment processes for which Welsh Government has provided guidance to local authorities who administer the scheme.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lee', is centered on a light blue grid background.

Lee Waters AS/MS

Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change