

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE2079](#): Introduce legislation to provide for exemptions in paying medical facility parking charges and to create a new classification of parking badge for care-givers, lodged by Martin James Keatings

Brief overview of issues raised by the petition

The petition is calling on the Scottish Parliament to ask the Scottish Government to bring forward primary legislation to:

- provide for exemptions in paying medical facility parking charges, which would apply to:
 - disabled people
 - care-givers
 - people with limited finances
 - those providing transport for other medical reasons, and
- create a new classification of parking badge for care-givers.

Blue Badge Scheme

The Blue Badge Scheme operates UK wide and is administered by local authorities. It applies primarily to on-street parking, and holders can park in restricted areas for free:

- at on-street parking meters
- in pay and display bays
- in disabled parking spaces
- on single and double yellow lines if it's safe to do so and there are no loading restrictions.

Administration of the scheme is devolved. [Transport Scotland](#) is responsible for the legislation setting out the framework for the scheme and provides support to local authorities.

The enabling Act is the [Chronically Sick and Disabled Persons Act 1970](#). Section 21 provides for “Badges for display on motor vehicles used by disabled persons”.

The key regulations for Scotland are in [Disabled Persons \(Badges for Motor Vehicles\) \(Scotland\) 2000/59](#), as amended. For further general background see the SPICe Briefing on [Disabled Parking and the Blue Badge Scheme](#) (February 2016). However, the scheme has been updated since the publication of this briefing.

The total number of Blue Badges in 2023 was 281,339 (Transport Scotland, personal communication, 16 February 2024).

There are two routes to a Blue Badge, either automatic entitlement based on receipt of certain benefits, or through a local authority assessment based on set criteria.

Local authorities can charge up to £20 for a Blue Badge and they usually last for three years and can then be renewed.

Eligibility for a Blue Badge

The [mygov.scot](https://www.mygov.scot) website provides detail on eligibility. Further detail on eligibility is available in the leaflet, [Can I get a Blue Badge?](#)

Automatic entitlement to a Blue Badge

Some disabled people are [automatically entitled](#) to a Blue Badge but must apply to their local authority for one.

You will automatically get a Blue Badge if you:

- are under 16 and have a letter confirming your eligibility from your visual impairment care team
- are 16 or over and registered or certified as severely sight impaired
- get the higher rate of the mobility component of Disability Living Allowance
- get Personal Independence Payment and scored 8 points or more in the 'moving around' area of your assessment
- get Personal Independence Payment and scored 12 points in the 'planning and following a journey' area of your assessment
- get Personal Independence Payment and used to get the higher rate of the mobility component of Disability Living Allowance on an indefinite or lifetime basis
- get Personal Independence Payment, used to get the higher rate of the mobility component of Disability Living Allowance, and your Personal Independence Payment decision is being appealed
- get Adult Disability Payment and have been awarded mobility points of either 8 points or more in the Moving Around activity, or 12 points in the

Planning and Following a Journey activity, or enhanced rate mobility under special rules for terminal illness

- get the higher rate of the mobility component of Child Disability Payment
- get War Pensioners' Mobility Supplement
- got a lump sum payment from tariffs 1 to 8 of the Armed Forces Compensation Scheme and have been certified as having a permanent and substantial disability.

Assessment for a Blue Badge

A local authority can also issue a Blue Badge following a mobility assessment by an independent physiotherapist or occupational therapist, if the person is more than two years old, and they have:

- a substantial disability lasting at least 12 months that means they cannot walk at all
- a substantial disability lasting at least 12 months that means they're virtually unable to walk.

A Blue Badge may also be issued to a person who:

- regularly drives and cannot use parking meters because of a severe disability in both arms
- has a mental condition that means they lack awareness about the danger of traffic when making journeys.

Rules for children under three

A parent of a child aged under three can apply for a Blue Badge if they:

- are responsible for a child under 3 years old who needs to be kept close to a vehicle for medical treatment
- are responsible for a child under 3 years old who uses bulky medical equipment that cannot be carried around

Local authorities may require further information from a medical professional involved in the child's care, but under certain circumstances, assessment may be conducted over the phone or online (Transport Scotland, personal communication, 16 February 2024).

Updates and review of the Blue Badge Scheme

Officials undertook a review of the Code of Practice for local authorities (internal guidance on the scheme's administration) in 2022. This included streamlining the application process and a full redesign of all paper application forms (Transport Scotland, personal communication, 16 February 2024).

In March 2020, Transport Scotland, local authorities and Motor Neurones Disease nurse consultants, trialled a fast-tracked prescription model for eligible applicants who have been diagnosed with MND. This is to provide them with a Blue Badge without having to participate in the full application phase. This has now been rolled out ([MND Scotland](#)).

There are no current plans to amend the eligibility legislation. Transport Scotland has said that the scheme is “carefully reviewed through continued engagement with healthcare professionals, independent mobility assessors, 4 Nations colleagues, members of Disability Equality Scotland and local authorities and COSLA.” (Transport Scotland, personal communication, 16 February 2024).

Who can use a Blue Badge?

The [Rights and Responsibilities leaflet](#) explains that the Blue Badge is for the benefit of the person it has been issued to.

The Blue Badge must be displayed when the Blue Badge owner is travelling in the vehicle, either as a driver or passenger. This means that someone else can drive to help drop off and pick up the Blue Badge owner (this might be a ‘care-giver’). However, they would still then need to drive to another space, remove the badge, and park as they normally would until it is time to pick up the Blue Badge owner:

“The driver should not wait in a disabled person’s parking place and should remove the badge from display and park as they normally would. They can then return to a disabled persons parking place to collect the badge holder when required.”

Off-street car parks

The Blue Badge scheme does not generally apply in off-street car parks in supermarkets or hospitals. However, parking spaces for disabled people should be provided under the Equality Act 2010 because service providers have a duty to make ‘reasonable adjustments’ for disabled people in order for them to access their service. It would be up to the car park owner whether Blue Badge holders can park free of charge and whether to enforce the use of disabled parking spaces.

Hospital parking fees

Hospital car park charging was stopped in NHS Scotland hospitals in 2008, see the Scottish Government’s [Revised Guidance on Hospital Car Park Charging](#) to Scottish Health Boards.

Car parking charges at the three PFI (Private Finance Initiative) hospitals (Royal Infirmary of Edinburgh, Glasgow Royal Infirmary and Ninewells Hospital, Dundee) were suspended in March 2020. This was at the onset of the Covid-19 pandemic and through an arrangement reached between the Scottish Government and the PFI operators. The [Scottish Government has since bought out the car park contracts at Glasgow Royal Infirmary and Ninewells Hospital, Dundee](#) and is negotiating to do the same at the Royal Infirmary, Edinburgh.

In response to [PQ S6W-19242](#) (23 June 2023), the Scottish Government said that it had no plans to re-introduce charges for hospital car parks.

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19 February 2024

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

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