

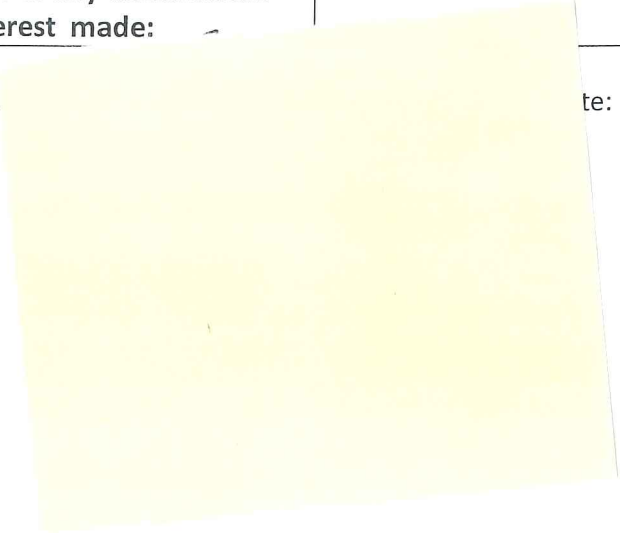
### Record of officer decision

<b>Decision title:</b>	Decision to prosecute
<b>Date of decision:</b>	16.01.2019
<b>Decision maker:</b>	Director of Economy and Place
<b>Authority for delegated decision:</b>	The chief executive's scheme of delegation
<b>Ward:</b>	Central
<b>Consultation:</b>	Legal Services: In accordance with S222 of the Local Government Act 1972 we consider a prosecution is both appropriate and reasonable in this matter for the promotion or protection of the interests of the people of the County of Herefordshire which is also in accordance with the Herefordshire Council's Enforcement and Prosecution Policy
<b>Decision made:</b>	To prosecute the defendant for offences under the Road Traffic Regulation Act 1984, Section 117
<b>Reasons for decision:</b>	<p>The defendant parked her car in a designated disabled parking bay in Union Street, Hereford on 8<sup>th</sup> December 2018. She displayed her partners disabled persons parking badge which if used correctly would have allowed up to two hours free parking in what can be considered a prime city centre location.</p> <p>The defendant's partner was at home at the time the badge was being used, there is no doubt that the blue badge concession was being abused.</p> <p>When the enforcement officer asked the defendant whether there was any particular reason for her using the badge, she replied "no, parking in Hereford is shocking".</p> <p>In the PACE interview by post the defendant confirmed that she was the person responsible for the offence. She stated that it was a genuine mistake and a force of habit as she uses the badge when her partner is with her. She did not mention this at the time of the offence.</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	Motorists who misuse a disabled persons blue badge in order to obtain free parking can potentially prevent a disabled person from parking near to where they need to go and living an independent life.
<b>Details of any alternative options considered and rejected:</b>	Considered a warning or caution but feel stronger action is required in order to try and reduce the level of abuse of the blue parking badges. The charity Disabled Motoring UK states "The charity believes that by persisting with prosecutions and highlighting the consequences of Blue Badge fraud and misuse, can and will work to fight abuse of the scheme. It really makes people stop and think twice before attempting to misuse a Blue Badge, which deprives a disabled person from parking and living an independent life".

Details of any declarations  
of interest made:

None

Signed:



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16/1/19