

## Record of officer decision

<b>Decision title:</b>	To prosecute an individual under section 117 of the Road Traffic Regulation Act 1984
<b>Date of decision:</b>	29 July 2021
<b>Decision maker:</b>	Interim Director of Economy & Place
<b>Authority for delegated decision:</b>	Chief Executive Scheme of Delegation – Appendix 1 – Item SA60
<b>Ward:</b>	Ledbury North
<b>Consultation:</b>	Legal Services: In accordance with S222 of the Local Government Act 1972 I 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>A member of public anonymously reported that a male was misusing a disabled persons parking badge on a daily basis in Ledbury.</p> <p>The following day (9 June 2021) an enforcement officer came across the vehicle parked on double yellow lines in Church Street, Ledbury. There was a disabled persons parking badge on display in the vehicle which if used correctly would have allowed three hours of free parking. The time clock indicated that it had been there for one and three quarter hours.</p> <p>Church Street is a narrow street with double yellow lines on both sides of the road. Any vehicle parked here would likely to have caused an inconvenience to other motorists.</p> <p>The defendant repeatedly lied to the enforcement officer about who had parked the vehicle, saying his wife had parked there to take her mother to the hospital.</p> <p>A back office check confirmed the badge holder was at home and the defendant finally admitted that the badge holder was not part of the journey and he had parked the car there.</p> <p>In the PACE interview by post the defendant confirmed that he was the person responsible for the offence, says that he has been punishing himself since this happened, will never do anything like this again and apologises for his actions.</p> <p>There is no doubt that the blue badge concession was being abused</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"
<b>Details of any declarations of interest made:</b>	None

Signed:

Date: 29 July 2021