

**Minutes of the meeting of
Central Beds Access Group
Held on Tuesday 9th November 2010
At Priory House, Chicksands, Shefford**

Present

Roy Storey	CBAG
Ian Kelly	CBAG
Mary Walsh	CBAG
Jean Bird	Guide Dogs for the Blind/CBAG
Martin Usher	Access Officer CBC/CBAG
Simon Daize	Beds Police/CBAG
Charlotte Bonser	LINK/CBAG
Lorna Walker	CBAG
Jo Bellamy	Policy and Performance CBC
Siobhan Vincent	Open Spaces and Recreation (Strategy)
Clare Harding	Corporate Policy Advisor (Equality and Diversity) CBC
Helen Redding	CBC, SENDA and Access to School Buildings
Keith Quantrill	Representative of Flitwick Town Council

1. Welcome & Introductions

The Chairman welcomed all to the meeting and introduced the guests.

2. Apologies Received

Steve Nash	Aragon Housing/CBAG
Alex Sydney	English Heritage
Seema Jassi	Aragon Housing
Gary Quilter	Manager Park Projects Amptill Town Council
Simon Knock	Greensand Trust
Peter Keates	Building Control CBC
Sally Aspinall	CPPC/CBAG
Lisa White	Open Spaces and Recreation CBC

3. To agree the Minutes of the meeting held on 14th September 2010

The Minutes of the meeting held on 14th September 2010 were agreed as a true and accurate record.

It was agreed by those present that item 6 should be moved up the Agenda to item 4 as Helen Redding had another appointment later in the evening.

4. To receive a report / update regarding the new Equality Act from Clare Harding, Central Bedfordshire Council, Corporate Policy Advisor (Equality & Diversity) Office of the Chief Executive.

Both Clare Harding and Helen Redding presented the update as they had been covering different aspects. A summary was circulated regarding the current position of the Equality Act and informed that 90% of the EA came into force on 1st October. As this legislation had been introduced by the previous Government, some aspects were still being debated by the current

one. The main provisions formed a basic framework of protection relating to direct and indirect discrimination and harassment. It was intended to build in protection for people associated with those having disability etc – so discrimination by association. It was intended to cover such issues as breast feeding etc. This was legal fine tuning to make sure case law was embedded within law. It would therefore, extend to third party harassment and make it more difficult for the disabled to be unfairly screened out for jobs, by restricting questions that could be asked of an applicant. There would be clauses relating to gender pay discrimination and also pay secrecy clauses. Employment Tribunals would be able to extend a Tribunal decision to others in the same workplace. Guides had been published relating to these changes and draft codes of practice were being produced. Although still not actually statutory, these guides must be followed in current cases. The equality duty of the Public sector was still being consulted on, so not yet in place. There were currently plans to mainstream this and there may finally be another code of practice for the public sector.

There were still things that were being considered by government – socio economic duties and dual discrimination claims. Helen Redding spoke on the provisions relating to auxiliary aids in schools, which she felt was incredibly complex. For instance a recent tribunal finding had given only the one disabled child the right to transport to a youth club. If all children required this for several different venues it would be unsupportable.

Roy Storey raised the issue of the abolition of school crossing patrols which he felt was absurd. It was felt that this was not a job for volunteers as there were issues surrounding insurance and CRB checks etc. As Helen Redding did not have this within her own remit she was unable to add anything to this discussion. Helen felt it would be necessary to look at parental responsibility to ensure children got safely to school. It was agreed to make this issue an agenda item for the next meeting of CBAG.

Helen explained that a lot of work had already been carried out to inform schools how they were to implement their own duty with regards to the EA, and they would be made aware of the guidance available. Currently Ivel Valley had been made an 'area special school' and this solution of merging schools, would be looked at in areas such as Houghton Regis. Consultation would be undertaken and this would involve working with heads and parents and also include the children themselves.

Clare Harding explained that there was a Government site relating to the EA. which would connect to a site where guidance could be found relating to Taxis. There would also be a meeting on 17th November to consult with Taxi companies and drivers. There were to be exemptions such as in the instance of a driver with a health problem, who could legitimately refuse to help people in and out of taxis. Roy felt that taxi drivers should be required to attend a manual handling course. Roy would ensure there was a link to consultation documents and SEN Green paper put on CBAG website.

Helen Reading worked with Special Needs Schools to ensure a proper insight into each child's needs and this would be written into their statement. Parents could not always actually carry out this sort of lifting themselves. There would be a Special Needs Improvement Test - to ensure that what would be provided was at least equivalent to what was already being provided. Although there were plans to reduce bureaucracy there remained a need to carry out a proper assessment and there was a conflict between the two aims. There would be a duty on schools without the previous ability to call on Central Beds Council for the level of assistance available in the past.

4 a. Questions

In response to a question regarding the carrying out of Access Reports, Helen explained that schools were being very proactive on the whole, but some had not engaged. Helen was concerned that it would not be possible to easily identify those schools not meeting their responsibilities. It was hoped that schools would be self governing in this regard and would also put pressure on other schools to comply.

Clare Harding spoke on the issue of school crossing patrols and explained there would be impact assessments and she would be checking them and would particularly focus on the impact in rural areas.

Academy schools would be subject to the same code and would continue to receive money to meet the needs of children with special needs, although this would be done in a different way.

The Chairman thanked Clare and Helen for attending the meeting and for their update.

5. **To receive a report from Siobhan Vincent and Lisa White. Open Space and Recreation (Strategy)**

Siobhan explained how important it was for her to work very closely with developers and Town and Parish Councils to ensure that play areas were not fenced and signage etc was properly addressed to positively address and encourage natural play. Contrary to the sort of advice given over the last 15 years to use metal in play areas, now providers were being asked to look more closely at the possibilities of wood. Her aim was to stipulate the kind of age group that should be provided for, but not the actual equipment. It was now possible to request sums from developers to maintain equipment that they had provided. For instance, in areas of less than 2.2 hectares bollards could be used to provide barriers rather than gates, fences cattle grids etc. In the same way planting hedges etc. would make a more natural play area. This kind of barrier would be aesthetically more pleasing and also bio diverse. Members of the group expressed concern that dogs would not be excluded from such play areas. Although Siobhan responded that experience had shown this was not a major issue, concerns were raised about control of dogs and dog mess in play areas not protected by fencing.

Ian Kelly explained his past experience and his involvement in natural play, including design, procurement and layout etc. This experience led him to disagree about gated areas because, although they were a problem, dog mess was also a real problem. He also expressed concern that natural play equipment was not covered by the two required standards 1176 and 1177, which required that equipment was inspected each time it was moved. When a parish council undertook to provide such natural play equipment and had a piece of equipment which was moveable, it would be required to be inspected each time it was moved. "You cannot have people taking this moveable equipment to fixed equipment on site e.g. a chair left under a rotary swing". Ian considered that natural play was high maintenance and had to be inspected more regularly, particularly if you had a large number of people making use of it. He felt it would be difficult to persuade a parish council to take on something without API approval and without having been passed by ROSPA, and particularly without a water tight risk assessment which would leave them responsible. However, Martin Usher believed most Town and Parish councils were being lazy and the assessment of risk needed to be weighed against the benefits.

Siobhan advised that each area was site specific; so for instance in Houghton Regis metal would be used as it was not a naturally wooded area. The plan was to work with Councils to meet their specific needs.

5 a Questions

In response to a question from Lorna Walker, Siobhan confirmed that although some funding had been withdrawn, 80% had been agreed and that the plans for Apsley Guise would be going ahead. The Playbuilder grant had given £1,000,000 to spend on play two years ago. This has now been agreed with the Government and those Councils, who had not bothered to respond to a request for their plans, would not be getting anything from this grant. The Splash and Play plans would be going ahead – however, funding was no longer ring fenced and this means that the monies could be utilised for other projects. Siobhan said she would be happy to come to future meetings and update the group.

Lorna Walker left the meeting at this time and the Chairman thanked her for her attendance and input.

6. **To receive a report / update from Jo Bellamy, (Fairer Charging Review) Policy and Performance Officer Social Care, Health and Housing Central Bedfordshire Council,**

Jo Bellamy circulated a document and advised this represented the outcome of the consultation and would be distributed shortly. Decisions had been taken after careful consideration of the feedback received at meetings and through the questionnaire. Jo took the Group through each section and answered questions raised by members of the group.

The document showed both items adopted and those rejected and the reasons for each decision having been made. Simon Daize raised the concern, shared by the group, that these charges particularly affected vulnerable people and they may well go without food, heating etc when faced with costs that were not means tested. Jo advised that many of the costs would be means tested which meant few people would be facing the full costs of the changes in charging policy.

Jo advised that 25p would be added to the cost of Meals on Wheels. Although only 100 people used the service she had found that many people had a view on it. Nobody had as yet cancelled because of the increase and anyone who did cancel would be contacted to find out why. Day centres were not included in this. It was now planned to renegotiate the contract and to encourage more people to use the service.

Simon Daize expressed a concern shared by others within the group that the review was essentially about saving money and delivering a service with less money. He felt its aim contradicted the importance of protecting vulnerable adults within their own homes. Those being provided with Meals on Wheels were often the most vulnerable as they had no support within their community. Several concerns were raised including how much money was actually being saved and what would happen if there was an increase in uptake.

There were some concerns expressed about the way consultation on budget cuts was conducted and whether it could be truly representative. Overall it was seen as a presentation of decisions made within unacceptable options. It was thought that asking for suggestions on ways to cut the costs may have produced some areas for discussion previously not under

consideration and perhaps a more satisfactory outcome. It was acknowledged that decisions had been made within the constraints imposed. Jo advised that it was intended to charge full cost if a customer did not co-operate with the Financial Assessment process, but assured the group that Social Care would be contacted before taking action and to encourage people to take part.

The Chairman thanked Jo Bellamy for the time she had given and for her input.

7. **Reports from members regarding access issues in their areas.**

There were no reports.

8. **Correspondence received since the Agenda was set and needs an urgent response**

Roy Storey had received a letter regarding a public building, after the Group had raised a number of concerns about the conditions within the Tribunal Office in Bedford – these concerns had been passed to Mr Stuart Odell, Access Officer for Bedford U C. As a result, it had now been confirmed that these matters had been addressed as follows: the barrier control had been repositioned, a water gully been levelled with the drain cover, the accessible entrance had been raised to the level of the floor, the disabled access toilet had been replaced and the emergency cord raised, a wider width door had been fitted to Court Room 1 and in future the drop down counter would be lowered at all times at reception, a large refuse bin padlocked to the handrail in the parking bay for the disabled had been removed. The Officer had in fact investigated all the issues the Chairman had raised and addressed all of them. The training of the Tribunal staff was ongoing. The Chairman would write and thank Stuart O'Dell.

A report from Alex Sidney, English Heritage was circulated to those present, the contents were read out. English Heritage had received a £1.2 million grant from the Lottery Fund to carry on with the plans as presented by the Access Group. Alex looked forward to meeting up with the Group in the New Year.

Martin Usher explained that the plans are at the building regulation stage and all seems as discussed with the Access Group earlier in the year.

Keith Quantrill said he had assumed that all issues regarding perching seats and permanent seating at Manor Park has been addressed. Jean Bird commented about the barbed wire now being the only thing the Guide Dogs for the Blind remained concerned about and the dangers of wandering into the lake. Visually impaired people were to be advised to keep to the solid path. Martin Usher had reported that not all of the barbed wire had now been removed and Keith Quantrill agreed to check on that issue. Everyone agreed they were happier with the alterations made to the seating.

Ian Kelly advised that he had meetings to arrange, with Martin Oak and Hannah Firth, regarding Ancient Monuments,

Paris House, Woburn, had been assuming an access audit could be carried out from the gate. Ian would be dealing with both of these, but the ancient monuments issue would need to be finalised first.

Date and venue of next meeting 11th January 2011 at Priory House, Chicksands.

The Chairman thanked everyone for attending and wished all a Happy Christmas and New Year.