

HEALTHY, SAFE, CLEAN AND GREEN COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Healthy, Safe, Clean and Green Communities Scrutiny Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Tuesday 20th March 2018 at 1000 hours.

PRESENT:-

Members:-

Councillor S. Peake in the Chair

Councillors J.E. Bennett, T. Cannon, Mrs P.A. Cooper, H.J. Gilmour, C. Moesby, T. Munro, K.F. Walker and D.S. Watson.

Officers:-

J. Wilson (Scrutiny & Elections Officer), V. Dawson (Team Manager (Legal), (L. Evans (Housing Needs Officer) (to Minute No. 0656), A. Smith (Housing Needs Officer) (to Minute No. 0356), K. Eastwood (Interim Licensing Team Leader) (to Minute No. 0657) and A. Bluff (Governance Officer).

Also in attendance at the meeting was P. Campbell (Joint Head of Housing & Community Safety).

0700. APOLOGIES

There were no apologies for absence.

0701. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0702. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0703. MINUTES – 27TH FEBRUARY 2018

Moved by Councillor T. Munro and seconded by Councillor H.J. Gilmour

RESOLVED that the Minutes of a Healthy, Safe, Clean and Green Scrutiny Committee held on 27th February 2018 be approved as a true record.

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0704. LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE

Committee considered the List of Key Decisions and items to be considered in private document.

Moved by Councillor H.J. Gilmour and seconded by Councillor T. Munro

RESOLVED that the List of Key Decisions and Items to be considered in private document be noted.

0705. HOMELESSNESS REDUCTION ACT – VERBAL UPDATE

The Housing Needs Officers attended the meeting on behalf of the Housing Needs Manager to provide an update to Members in relation to the Council's readiness for the Homelessness Reduction Act which would be coming into force in April.

Members would recall that at the Committee's meeting held on 14th November 2017, the Housing Needs Manager explained that a change in the law meant local authorities would have to give advice and support to anyone at risk of homelessness regardless of whether they were deemed to be in priority need or not.

Anyone at risk of homelessness would be required to cooperate with a tailored package of measures (a personal housing plan), such as debt advice or family mediation, either to help them stay in their existing home or find a suitable new home.

The Housing Needs Officers reported that preparations were well advanced. All Derbyshire authorities were working together and would be using the same Locata IT system where information would be shared regarding applicants' case notes.

All the Derbyshire Housing Managers were holding monthly meetings to ensure paper work and systems were working along the same lines and Bolsover Housing Needs Officers were meeting on a weekly basis to consider the application forms for practicalities and checking that all areas were captured to ensure information gathered from an applicant enabled the service to be delivered. The forms were being compared to the other Derbyshire authorities' forms and the Housing Innovation Officer was preparing a Privacy Impact Assessment document.

The test system was currently being trialled and would go live on 3rd April 2018.

A Member queried how sensitive the new practicalities were in dealing with potentially homeless person(s). The Housing Needs Officers replied that although a large amount of information would be required from an applicant to gauge their needs, assessments would be carried out as quickly and efficiently as possible.

Another Member queried how officers would recognise if an applicant had a mental health illness or any vulnerability. The Housing Needs Officers replied that this usually became apparent in the early stages of an interview. If a person was taken into hospital for psychiatric treatment, continued support would be provided by officers via liaison with mental health teams on what would need putting in place for when the person left hospital.

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A Member queried how homeless people could get into private accommodation via the Council. The Housing Needs Officers replied that there were preventative funds and also the Freedom Project in Bolsover which could help with this.

The Housing Needs Officers advised the meeting that training would be rolled out to front line staff in relation to dealing with clients under the Homeless Reduction Act, however, staff would only give basic advice and hand out paperwork. Housing Needs Officers would follow up any clients' queries that frontline staff could not answer.

In response to a Member's query, the Housing Needs Officers informed the meeting that the Derbyshire Law Centre in Chesterfield was a good support agency to the Council and the Council also referred clients to them.

Members thanked the Housing Needs Officers for their work and providing the update to the meeting.

Moved by Councillor C. Moesby and seconded by Councillor J.E. Bennett
RESOLVED that the update be noted.

The Housing Needs Officers left the meeting.

0706. EQUALITY ACT 2010 – LICENCED DRIVER MEDICAL EXEMPTION POLICY

Committee's views were sought in relation to a draft Licenced Driver Medical Exemption Policy under the Equality Act 2010.

The proposed new policy prevented drivers of designated taxi and private hire vehicles from refusing to carry passengers in wheelchairs, failing to provide them with appropriate assistance or charging them an extra fee.

Section 167 of the Equality Act gave local authorities the power to publish a list of wheelchair accessible vehicles (known as the Section 167 list).

The list would ensure that passengers who used wheelchairs were better informed about the accessibility of designated vehicles in the District and consequently more confident of receiving the assistance they needed to travel safely.

The introduction of a list required the Council to inform all drivers of vehicles that appeared on the list of their obligations under the Act. Additionally, the Council would need to make drivers aware that they may apply for exemptions from these obligations on medical and physical condition grounds. Subsequently, the Council was required to develop a policy that dealt with whether or not a medical exemption should be granted.

The Council was in the process of determining the number of vehicles it licensed that were considered suitable for inclusion in a Section 167 list. Licensing procedures had been amended to ensure that the accessibility of vehicles was routinely determined when applications were made for new or to renew licences.

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Vehicle owners had the right to appeal against a Council decision to include their vehicle on a Section 167 list or to refuse to issue a driver with a medical exemption. Such appeals would need to be made to the local Magistrates' Court.

Exemption certificates would be issued for a period of up to 12 months on the basis of information provided by the driver's GP. In order to receive medical exemption for a period in excess of 12 months, drivers would normally be required to undergo a medical examination by an Independent Medical Assessor that had been appointed by the Council.

Part of the Equality Act 2010, which had already been enacted, also imposed duties on the drivers of taxis hired by or for a disabled person who was accompanied by an accredited assistance dog or by another person who wished to be accompanied by a disabled person with an accredited assistance dog. The driver must carry the disabled person's dog and allow it to remain with them and not make any additional charge for doing so. It was a criminal offence not to comply with these duties. Drivers could also apply for a similar exemption certificate but these could only be granted on medical grounds - religious or cultural grounds were not exempt.

Committee was advised that the draft policy would be subject to a full public consultation.

In response to a Member's query regarding data protection and drivers' names appearing on a list, the Interim Licensing Team Leader advised the meeting that the Council would reach an agreement with local drivers.

A Member raised a query that assistance dogs were usually of a large breed and queried if this would reduce the number of passengers a taxi was legally licenced to take. The Interim Licensing Team Leader replied that he would look into this as part of the guidance.

Members were asked to note that the draft Licenced Driver Medical Exemption policy would be presented to the Licensing Committee on 29th March 2018 for their consideration and approval to Council.

Moved by Councillor T. Munro and seconded by Councillor S. Peake.

RESOLVED that (1) the draft Licenced Driver Medical Exemption policy be noted

(2) Scrutiny Members comments from this meeting be considered by the Licensing Committee.

(Interim Licensing Team Leader)

The Interim Licensing Team Leader left the meeting.

0707. WORK PLAN 2017/18

Committee considered their Work Plan 2017/18.

In the informal part of this meeting, the Team Manager (Legal) would be providing Members with an update on a draft Corporate Enforcement Policy.

It was agreed that the Committee's draft Review report on Enforcement would be considered and agreed as a final draft at the Committee's meeting on 1st May 2018.

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The Scrutiny and Elections Officer requested Members to confirm their attendance at the Scrutiny Conference which would be held on 10th April 2018 and to also put forward any ideas for scrutiny review.

The formal meeting concluded at 1100 hours and Members then met as a working party to continue their review work. The working party concluded at 1120 hours.

The meeting concluded at 1120 hours.