



Leicester
City Council

**WARDS AFFECTED:
ALL WARDS**

CABINET

1 SEPTEMBER 2008

**DISABILITY DISCRIMINATION ACT INITIATIVES 2008/09
AND 2009/10**

Report of the Acting Service Director of Property

1. Purpose of Report

- 1.1 This report seeks approval for the works recommended for funding from the Disability and Discrimination Act Initiatives budget for 2008/09 and 2009/10.
- 1.2 The report also updates Members on the progress that has been made in providing greater opportunities for disabled people and others with limited mobility to play a fuller part in community life by increasing access to City Council buildings.

2. Summary

- 2.1 A sum of £125,000 in 2008/09 and 2009/10 has been approved for the Disability Discrimination Act Initiatives (DDAI) budget. This was approved prior to the latest economic downturn, which is impacting our ability to generate capital receipts. In view of the current level of available funding in the Capital Programme it is proposed to reduce this to £40,000 for each year. This is in recognition of the substantial progress made in making buildings DDA compliant, and our position in the top quartile of authorities. Reducing this funding enables resources to be maintained for other purposes; it is noted that the authority has a substantial aids and adaptations budget, which benefits disabled people. In addition, savings amounting to £47,000 have been identified from DDAI works in previous financial years that can be divided between the two financial years.
- 2.2 Proposals for spending the 2008/09 and 2009/10 budgets are listed at 4.5 for works identified through audits and user requests and, in 4.6 a contribution to the Access to Work Scheme.
- 2.3 All buildings have been prioritised based on audits and service need, using the

prioritisation model agreed with the Disability Equality Scheme Working Group, which includes external representation from the Leicestershire Centre for Integrated Living (LCIL) and the City Council's Disabled Employees Group.

3. Recommendations

Cabinet is recommended to:

- 3.1 Approve the works of £127,000 listed in 4.5 including a contribution to the Access to Work Scheme.
- 3.2 Authorise the use of £80,000 from the 2008/09 – 2009/10 corporate capital programme towards funding these works.
- 3.3 Authorise the Interim Corporate Director of Resources to order the works and seek all necessary consents.
- 3.4 Authorise the Head of Legal Services to sign any contracts as necessary to allow the work to proceed.

4. Report

- 4.1 The Disability Discrimination Act Officer (DDA Officer) based in the Property Review Team, (Resources – Property Services) has the duty of inspecting all City Council buildings (excluding domestic and educational establishments) to ascertain their level of accessibility and usability by disabled people. Any shortfall in access standards is recorded on a database to produce a programme of outstanding works required. The list is constantly reviewed to ensure that any buildings that are or may be surplus to use are not being included when works are to be carried out. Audits of service delivery to disabled people are the responsibility of the department providing the service from the building. Currently the estimated cost for the outstanding works is £1,100,000 including fees, excluding the works listed in 4.5. Between 2003/04 and 2007/08, the City Council has spent £1,320,735 to improve access for disabled people to buildings normally open to the public.
- 4.2 Prioritisation of works is reached by a system of weighting each piece of work required in each building scored using a prioritisation methodology introduced in 2006/07. The model is similar to that used for the prioritisation of the Council's Central Maintenance Fund. It considers user needs, legislative requirements, service requirements, benefit to the greatest possible number of service users and staff and the Council's likely future intentions for the building. Works have only been included in the programme if they are significant. Minor works will fall to departments to fund, if critical.
- 4.3 The scoring is applied using the two audits mentioned above in 4.1 through workshops with each department. These workshops are chaired by the Property Review Manager (Property Services) and are made up of the DDA Officer, the Departmental Heads of Property Group representatives and Departmental Equality Officers. In order to address the City Council's duties under the Disability Equality Duty (introduced in December 2006), representatives of organisations of and for disabled people including the City

Council's Disabled Employees Group are also included. This year, the Leicestershire Centre for Integrated Living (LCIL) and the Chair of the Disabled Employees Group were invited to the meetings but unfortunately LCIL was unable to send a representative to all the meetings.

- 4.4 The standard used to assess the level of accessibility is that set out under the Audit Commission's Best Value Performance Indicator 156 (BVPI 156).

"The number of the Authorities buildings open to the public and the number that are accessible to and usable by disabled people".

As of 1st April 2008 the Audit Commission is no longer collecting information relating to BVPI's. As this is a reasonable standard to use to determine the level of access for disabled people to City Council buildings both for staff, elected members and the public, it will be retained for internal management and property review. Appendix 1 shows how levels of access have increased year on year from 2002/03 at 44% to 2007/08 at 81.5% through the use of BVPI 156 and the DDAI budget.

- 4.5 The proposals for spending the budget allocated for 2008/9 and 2009/10, together with the £47,000 savings identified in paragraph 2.1 above, are listed below.

	2008/09	
Jewry Wall Museum	Works up to and including Scheduled Ancient Monument and Planning application approvals for the provision of platform lift (fees only)	£7,000
New Parks Leisure Centre	Provide new platform lift	£55,000
Access to Work Scheme contribution		£5,000
TOTAL		£67,000

	2009/10	
Jewry Wall Museum	Provision of an enclosed platform lift	£55,000
Access to Work Scheme contribution		£5,000
TOTAL		£60,000

- 4.6 The above list is made up of works to buildings and fees. In the past the sum of £20,000 has been added in order for the Access to Work scheme to continue. This element is controlled by the Corporate Director of Resources, Pay and Workforce Strategy Unit. The Access to Work element is to fund the cost of equipment and accessories necessary to assist existing and new disabled members of staff in their work and is largely grant-aided by the Department of Employment on a sliding scale of up to 100% of the cost. However, in view of the overall reduction of the DDAI budget, the sum of £5,000 per year for 2008/09 and 2009/10 is recommended for the Access to Work Scheme.

- 4.7 The City Council has been in the top quartile of the Audit Commission's BVPI

156 for the past 5 years. Continuing to provide capital provision for access improvements to buildings should help to keep it in that position, and to give the Council a defence against any potential private prosecutions from disabled people.

- 4.8 Members should note that the DDA budget stands alone to carry out access improvements to buildings where works have been identified through audit and user comments. When departments are undertaking any refurbishment, alterations or improvement works to buildings they occupy, they are expected to include any access improvements needed at that time without calling on the DDA improvements budget.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1 Financial Implications – (Nick Booth, Extn. 297460)

The proposed DDA initiatives works are estimated to cost £127,000 in total in the years 2008/09 and 2009/10. It is proposed to fund this expenditure from £47,000 of savings in the previous DDA budget plus £80,000 from the new corporate capital programme. This would result in net savings of £170,000 in the first two years of the corporate capital programme, which was approved prior to the latest economic downturn, which is impacting our ability to generate capital receipts. In view of the current level of available funding in the Capital Programme it is proposed to reduce this to £40,000 for each year. Reducing this funding enables resources to be maintained for other purposes.

5.2 Legal Implications – (Rebecca Jenkyn, Extn. 296378)

The Head of Legal Services has been consulted on the report and considers there to be no specific legal implications other than to ensure compliance with the provisions of the Disability Discrimination Act 1995.

6. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	Yes	Throughout the report
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	Yes	Throughout the report

7. Background Papers – Local Government Act 1972

Capital Programme book 2008/2009.

8. Consultations

In 2002 consultation was undertaken with various voluntary bodies through Voluntary Action Leicester, results of which were reported to FREOPs on 19th September 2002 and to Cabinet on 23 September 2002. The results of this consultation were disappointing and therefore to meet its new duties under the Disability Equality Duties introduced in December 2006, Property Services are working with Leicestershire Centre for Integrated Living and others to allow for the full involvement of disabled people, which it is hoped will produce better results.

Consultation and involvement has been undertaken with Leicestershire Centre for Integrated Living and the Disabled Employees Group. Internal consultation has taken place with the Heads of Property Group, individual departmental Heads of Property Group Representatives and Equality Officers (including through them Service Heads and Managers).

9. Officer to contact:

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

BVKPI 156 BY YEAR

