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NOTICE OF MEETING

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ACCESS ADVISORY FORUM

will meet on

MONDAY, 25TH MARCH, 2019

At 11.00 am

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE ACCESS ADVISORY FORUM

ANGELA CLARK (CHAIRMAN), LISA HUGHES (VICE-CHAIRMAN), SHARON CARRIGAN, TIM CLARE, PETER HALEY, LIZ KELSALL, DOMINIC MANLEY, ROBIN PEMBERTON, CLAIRE WATSON, DEAN YORKE, COUNCILLORS CHARLES HOLLINGSWORTH AND PHILIP LOVE

SUBSTITUTE MEMBERS

COUNCILLORS SAYONARA LUXTON AND WISDOM DA COSTA

Karen Shepherd – Service Lead-Governance - Issued: 15 March 2019

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Shilpa Manek 01628 796310**

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>																								
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2.	<u>CHAIRMAN'S INTRODUCTION</u> The Chairman welcomes all to Forum																									
3.	<u>MINUTES OF THE LAST MEETING</u> To agree the minutes of the last Forum	5 - 10																								
4.	<u>MATTERS ARISING</u>	11 - 12																								
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6.	<u>DATE OF THE NEXT MEETING</u> Forum Members to note the date of the next Forum: 8 July 2019																									

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Agenda Item 3

ACCESS ADVISORY FORUM

MONDAY, 26 NOVEMBER 2018

PRESENT: Angela Clark (Chairman), Lisa Hughes (Vice-Chairman), Sharon Carrigan, Tim Clare, Peter Haley, Robin Pemberton, Councillors Charles Hollingsworth and Philip Love

Officers: Angela Gallacher, Ian Gill, Louise Kerfoot, Rachel Kinniburgh, Shilpa Manek, Kevin Mist, Russell O'Keefe, Ashley Smith and Sarika Varma

APOLOGIES FOR ABSENCE

Apologies for Absence were received from Liz Kelsall, Claire Watson and Dean Yorke.

CHAIRMAN'S INTRODUCTION

The Chairman welcomed all to the Forum. The Chairman thank Lisa Hughes for Chairing the last Forum.

The Chairman informed the Forum that Lisa Hughes had delivered a presentation to the Local Access Forum on Public Rights of Way and Accessibility for People with Disabilities. The outcome was the formation of a new small working party which would provide recommendations to the Local Access Forum and the Local Rights of Way Improvement Plan which was a statutory document.

Lisa Hughes had also attended the Planning and Housing Overview and Scrutiny Panel and had asked councillor's and officers why the "Equal Opportunities Policy" in both the current and proposed Housing Allocation Policy excluded 7 of the 9 groups with protected characteristics in the Equality Act. People with disabilities were one of the missing groups. Russell O'Keefe assured the Panel that the Housing Allocation Policy did meet all its legal requirements but the wording of the Equal Opportunities would be changed to include all groups with protected characteristics. In a supplementary question Lisa was able to establish that Housing request forms ask applicants whether they wish to declare a disability.

Lisa Hughes, Peter Hayley and the Chairman has met with Barbara Richardson about the temporary ShopMobility arrangements.

MINUTES OF THE LAST MEETING

The minutes of the meeting on 10 September 2018 were Unanimously Agreed. This was proposed by Tim Clare and seconded by Peter Haley.

The order of items on the Agenda had been changed.

MATTERS ARISING

4.5 Leisure Centres Update – Braywick and Oaks

Kevin Mist, Community Project Lead, updated the Forum on the Braywick Leisure Centre. A newsletter was handed out to all Forum Members. The update included the following points:

- Work had started on the foundations at the site.
- 240 car parking spaces would be handed over in Jan/Feb 2019 and this would ease congestion at weekends in the Braywick Leisure Centre area.
- The build of the leisure centre could be watched on the web address on the newsletter.

- Currently the team were working through the final stages of the fixed price contract with Wates.
- Kevin Mist confirmed that there had been no compromise on any of the previous points to do with access. There was a large fixed lift.
- The Braywick Leisure Centre was approximately 25% larger than the current Magnet Leisure Centre. This was mainly because of the two additional lanes in the swimming pool and the additional size of the training rooms.
- The Forum enquired about the disabled parking spaces and were content after Kevin Mist showed the Forum the plans.
- There were no changes to the pool lift.
- There was a changing places facility with access from the corridor (dry access) and the swimming pool (wet access). The Forum commented that this was the way it was at Wycombe Leisure Centre and it worked really well.

Oaks Leisure Centre

Kevin Mist updated the Forum that the council had gone through the stage 2 and the design had been sent to the public locally, it still needed assessment by the planners. The stage 3 process was to commission Wates. All the best practice and lessons learnt had been transferred from Braywick Leisure Centre and had been applied to Oaks Leisure Centre. Currently officers were in the process of developing the budget. The planning application could possibly be presented at Panel before Christmas.

Kevin Mist thanked the Forum for all of their input.

4.9 Using Direct Payments to employ PA

Louise Kerfoot, Head of integrated learning disability services, Optalis, attended the Forum to answer any questions and share any information that the Forum required. The Chairman explained that the Forum wanted further information of why the Nuways Agency had been dismissed as it was good source for doing all DBS checks and training. Louise Kerfoot informed the Forum that there had not been a high call for Pas and the care agencies that were used assisted to find Pas. Tim Clare added that there was no guidance available on working conditions, no advice, no training but thankfully insurance was still available. Louise Kerfoot agreed with the Forum that there was no one person in post to give information. Louise Kerfoot assured the Forum that she would gather relevant information on this area and send to the Forum through the Clerk. Louise Kerfoot agreed that it would be useful to have all the information in one place, which would make it easier for residents to find information. AfC does this really well and it may be a good model to follow.

4.6 Library Access Policy

Angela Gallagher, Library and Resident Services Lead, guided the Forum through the Library Access Policy. Angela Gallagher informed the Forum of the following changes to libraries:

- The physical access standards had been adjusted, as in paragraph 5.4 of the policy.
- The furniture and equipment standards had been considered and adjusted as in paragraph 5.4 of the policy.
- Staffing standards had been considered and amended and disability awareness training would be available for all staff.
- All customer counters had been removed and smaller staff pods had been installed at Cookham, Boyn Grove, Dedworth and would soon be installed at Eton and Datchet libraries.
- Self-service kiosks had also been installed.
- Staff received training every Wednesday morning and Angela Gallagher was happy to receive anything that the Forum felt should be included.

- Angela Gallagher informed the Forum that one Wednesday in a month, there was an accessibility morning between 9-10am to assist anyone that required assistance. Further details would be circulated. Councillor Love suggested that some statistics for the accessibility morning would be useful to see at the end of the financial year.

4.1 Maidenhead Town Centre Regeneration

A written update and a schedule for car parking were given to the Forum members. Lisa Hughes commented that the Forum were mainly interested in the disabled car parking spaces and that the current 71 spaces never decreased. Peter Hayley informed the Forum that the Project Team would directly inform ShopMobility staff, who could directly inform the service users.

4.3 St Marks/Courthouse Road Junction Update

Sarika Varma, Senior Commissioning Officer (Structures, Highways and Transport) and Ian Gill, Traffic Systems Engineer, updated the Forum on the St Marks/Courthouse Road junction. The officers discussed the three options, a four way signalised junction, but this would cause traffic build up coming from Pinkneys Green, this was not the preferred option. This option is likely to create air pollution, which would have an effect on residents. Air monitors would be installed now to ascertain the baseline and then after the trials to be able to compare. The second option was a mini roundabout and the final option was the introduction of a raised table effect crossing. This is known to have a slowing effect on traffic. This had been used on St Leonard's Road in Windsor if Forum Members wanted to see how it looked and worked. The officers recommended the raised table crossing as this had worked very well at other similar junctions. Councillor Bicknell had suggested doing a trial of the options. It would not be easy for the four way junction to be trialled as this could not really be replicated. The mini roundabout would be a lot easier to trial.

A consultation would be carried out and residents would be informed by a letter drop consisting of a map and a diagram of the proposed scheme. The team were also speaking to major groups about the options.

The consultation document would be uploaded onto the website soon for all to comment.

Lisa Hughes asked about tactile paving and was advised by officers that tactile paving would be used. The Forum suggested that the speed restrictions be considered with an aim to lowering. Peter Hayley asked if there would be enough space for minibuses to turn. This was a major route for People to Places, officers would look into this.

ACTION: Forum Update to be provided at next Forum In March 2019

4.2 Planning Applications

Lisa Hughes informed the Forum that she had scrutinised 44 planning applications in detail and a response had been sent to RBWM Planning on 15 of those applications, either supporting or commenting on insufficient information.

Lisa Hughes informed the Forum that she had emailed Ashley Smith, Deputy Head of Planning to follow up on their meeting in April requesting that additional guidance be placed on the Planning pages of the Councils website relating to local requirements for Design and Access statements. Ashley Smith informed the Forum that a local validation list was being put together by the Council and that any local requirements would be considered as part of this process. Public consultation on the Local Validation list was likely to occur in early 2019.

4.7 Raising the profile of AAF

The Forum Agreed Unanimously that after the change of the symbols at the top of the leaflet and clearance from the Chairman, the Forum were happy for it to be printed.

The Forum would also like to put an article in the next edition of Around the Royal Borough.

ACTION; Clerk to speak with Communications Team and inform Chairman and Vice Chairman.

4.8 Equality Objectives – Mid Year Progress review

Rachel Kinniburgh, Strategy Officer, informed the Forum that the report had been circulated to all Forum Members before the meeting. Rachel Kinniburgh offered to answer any questions that Members had.

Lisa Hughes asked about the learning modules and if she could attend with the three modules, Equality Act 2010, Equality Diversity for Councillors and Equality Impact Assessment. Lisa Hughes asked that since the Equality Act awareness training was mandatory, was it possible to make the impact assessment training to be made mandatory too.

Lisa Hughes asked what was the expected date for completion for the training. Rachel Kinniburgh informed the Forum that an audit was being carried out for all policies for an annual update.

4.4 Taxi Licensing

The Forum had received a written update from Greg Nelson, Trading Standards & Licensing Lead, as he was unable to attend the Forum, as below:

All RBWM licenced hackney carriage and private hire drivers have been written to. The letter;

- Informs them of the adoption by RBWM of section 165 to 167 of the Equality Act 2010 and the purpose of these sections of the legislation
- Informs them that RBWM licenced hackney carriages and private hire vehicles which are wheelchair accessible will become “designated” vehicles, and their details, and those of their drivers, will be published on the RBWM website unless the driver is granted an exemption
- Explains what this means and what the duties are of drivers of designated vehicles, and the consequences of failing to comply with these duties
- States that all hackney carriage vehicles which are wheelchair accessible (we have records of these and all new hackney carriages are required to be wheelchair accessible) will be considered to be designated vehicles unless the driver is granted an exemption
- States that private hire drivers using a wheelchair accessible private hire vehicle are required to tell RBWM Licensing that they have such a vehicle (we not have records of which private hire vehicles are wheelchair accessible), and that all such vehicles will become designated vehicles unless the driver is granted an exemption
- Explains what an exemption is, how it is applied for (we require the driver to complete a “Wheelchair Accessible Vehicles - Exemption Application Form” which must be accompanied by a “Confidential Medical Assessment Form”, completed by a GP or consultant), and how an exemption is shown (a driver who is exempted will be given an exemption certificate and will be permitted to display a valid exemption notice in the vehicle).

We have followed government guidance in drawing up these requirements. The deadline for applying for an exemption is 14 December 2018. Drivers who apply for an exemption will be advised whether or not the exemption will be granted by 31 January 2019. The list of “designated” vehicles (and their respective drivers) will be published on the Licensing section of the RBWM website from 01 February 2019.

For your information, for many people the words “taxi” / “cab” / “mini-cab” may be pretty much interchangeable. I have used the terms hackney carriage and private hire vehicle and I should explain why;

- hackney carriages are the traditional taxis that you can hail in the street or pick up at a rank (they are black in London but most RBWM licenced hackneys are white with a purple RBWM logo)
- private hire vehicles have to be pre-booked and cannot be hailed in the street.

The rules and regulations differ considerably between the two types of vehicle which is why there are some differences in how they are being dealt with under the Equality Act 2010.

The Forum were pleased that all was moving in the right direction and all timescales were good.

4.10 Update on letter to Cabinet in relation to Windsor Guildhall access and public meetings

Russell O’Keefe, Interim Managing Director, informed the Forum that the accessibility audit report had been looked at in detail and it was not viable and feasible as the Guildhall was a listed building.

There would soon be a fully accessible suite for all public meetings and for public hire at York House and where appropriate meetings may be held there instead of the Guildhall.

The Chairman pointed out that the new York House would not get around functions (such as weddings) being held at the Guildhall on the first floor and that the accessibility audit had suggested many options. The Forum had gone through the options in great detail with the Officer and Option 2 had been the most favourable, which would have had no effect on the fabric of the building.

The Forum considered that the Guildhall could have greater use if it were brought up to date for accessibility. Russell O’Keefe informed the Forum that having reviewed the suggested options to date, options relating to the proposed lift would lead to unacceptable heritage harm to the fabric of the listed building. Ashley Smith, Deputy Head of Planning, informed the Forum that whether or not to install a lift was not purely an issue of whether funds were available to do it, the Council in its’ role as Planning Authority had a duty to protect heritage assets and this building is one of the most important listed buildings in the Borough. Whilst officers understood the desire to improve accessibility, disability and access legislation does not necessarily overrule heritage considerations, particularly where the harm is significant, in this case the options seen so far by the Council would significantly harm the heritage asset.

Tim Clare thought that it was only the front of the Guildhall that was Grade I listed and the back of the Guildhall had been altered once before in the 1800’s but it was confirmed by Ashley Smith that the whole building was listed.

Lisa Hughes enquired if any of the forty seven actions had been taken forward and Russell O’Keefe confirmed that a written update could be provided on the actions. Lisa Hughes advised the Forum and Officers that Historic England provided an excellent consultation service. Ashley Smith informed the Forum that the senior conservation officer that had carried out the consultation had previously worked for Historic England.

Russell O’Keefe informed the Forum that each public meeting was assessed to see what the best location for that meeting would be, whether it be the Town Hall in Maidenhead, Guildhall in Windsor or any other venue. The new York House venue was a larger and fully accessible venue.

ITEMS

5.1 Housing Policy for people of all ages

Russell O’Keefe, Interim Managing Director, informed the Forum that strategic planning for new houses was currently being carried out. Ashley Smith, Deputy Head of Planning noted that the AAF had raised a concern with the emerging Borough Local Plan that 5% of accessible housing was insufficient for the number of residents with disabilities. The policy was not specific to young people, "specialist needs" was a plan for an ageing population. If there was evidence for further need then it would be planned for.

5.2 Pinkneys Green proposed polling Station

Lisa Hughes updated the Forum on the Pinkneys Green proposed polling station. The AAF had not formally been consulted so thanked the Forum Members for their speedy responses. These had all been submitted. A second consultation was due to take place between 23 November and 14 December 2018. A decision on the final scheme would be made by the end of December 2018 and Council would approve the changes at a meeting in January 2019.

Councillor Hollingsworth informed the Forum that the Pinkneys Green polling station would be moving back to its original station location.

DATE OF THE NEXT MEETING

Forum Members noted the date of the next Forum was 25 March 2019.

The meeting, which began at 11.00 am, finished at 1.00 pm

CHAIRMAN.....

DATE.....

Taxi Licensing Update

Sections 165 to 167 of the Equality Act 2010 have now been fully implemented. The register of designated vehicles and an explanation of the drivers' responsibilities is available on the RBWM [website](#).

Greg Nelson, Trading Standards & Licensing Lead

Extract from the website:

Equality Act 2010 : Wheelchair accessible licenced vehicles

The Royal Borough of Windsor and Maidenhead Licensing Panel has formally adopted sections 165 to 167 of the Equality Act 2010 which is aimed at providing information to the public on which of our hackney carriages and private hire vehicles are wheelchair accessible.*

Borough licenced hackney carriages and private hire vehicles which are wheelchair accessible will be known as "designated" vehicles and their details are found on this webpage.

Drivers of these vehicles have the following duties;

- *to carry a passenger while in their wheelchair,*
- *not to make any additional charge for doing so,*
- *if the passenger chooses to sit in a passenger seat, to carry the wheelchair,*
- *to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort, and*
- *to give the passenger such mobility assistance as is reasonably required.*

Mobility assistance is defined as:

- *to enable the passenger to get into or out of the vehicle;*
- *if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;*
- *to load the passenger's luggage into or out of the vehicle;*
- *if the passenger does not wish to remain in the wheelchair to load the wheelchair in to or out of the vehicle.*

A driver of a designated vehicle commits an offence by failing to comply with one or more of these duties and could be liable on conviction to a fine of up to £1000.

A driver of a designated vehicle who fails to comply with one or more of these duties is also in breach of the relevant borough policy and conditions. This could lead to the suspension, revocation or refusal to renew of the licence.

Section 166 of the Act makes provision for licensing authorities to issue exemptions to drivers where they are satisfied it is appropriate to do so:

- on medical grounds; or*
- on the ground that the person's physical conditions makes it impossible or unreasonably difficult for the person to comply with those duties.*

A driver will only be exempt therefore if an exemption certificate has been issued and a notice of exemption issued by the council is exhibited on the vehicle in the prescribed manner.

**Please note, "wheelchair accessible" in this context means that the vehicle can accommodate a "reference wheelchair" as defined in Schedule 1 of the Public Service Vehicles Accessibility Regulations 2000.*

Access Advisory Forum

Purpose:

The Royal Borough of Windsor and Maidenhead supports the social model of disability, which asserts that barriers, negative attitudes and exclusion by society are the ultimate factors defining who is disabled and who is not. Adopting this approach will result in a focus on removing barriers and a more inclusive approach to service delivery.

Comprehensive Equality and Diversity Policy 2010-2013

The functions of the Forum shall be:

- to help with the preparation, development and implementation of the Comprehensive Equality and Diversity Policy for the Borough;
- to work in partnership with neighbouring Access Forums on matters of shared interest and with other groups or agencies with an interest in developing an inclusive environment;
- to encourage the development of an environment which is independently accessible to disabled people;
- to discuss and liaise with groups and individuals in the area of the Borough on access/disability issues;
- to consider matters affecting disabled people in the Borough and make recommendations to the Cabinet or Panels as necessary;
- to consider the impact of local or national consultations affecting disabled people in the Borough, respond where appropriate, and make recommendations to the Cabinet or Panels as necessary;
- to examine the services provided by the Council and consider ways in which the quality and efficiency of such services may be improved to the benefit of persons with disabilities in the Borough and make recommendations to Cabinet or appropriate Panels;
- to advise on ways to promote and publicise access awareness throughout the Borough; and
- to advise on improvements for disabled access facilities to and within buildings.
- The meetings of the Forum shall be open to the public, subject to powers of exclusion to suppress or prevent disorderly conduct or other misbehaviour.
- Members of the public may speak at the Forum at the discretion of the Chairman
- Copies of agenda and reports for the meetings of the Forum shall be open to inspection at least five clear working days before the meeting.
- Items of business may be submitted to the Chairman for consideration at least one month before each meeting.
- The Council shall reimburse members of the Forum reasonable expenses incurred in connection with attendance at Forum meetings or other activities relating to discharge of the functions of the Forum, in respect of travelling expenses and expenses of arranging for the care of their children or dependants.

Membership

The membership shall be comprised of the following groups:

- Users of local services who themselves have a disability or represent a disabled person.
- Representatives of voluntary groups, associations or Charities working with people with disabilities.
- Appropriate Government and Health bodies concerned with people with disabilities.
- Two Councillors from the Royal Borough of Windsor and Maidenhead.
- RBWM officers concerned with enabling people with disabilities to access services.
- The minimum number of members shall be 10 and the maximum number of members shall be 20.
- The Forum Chairman and Vice Chairman shall be service users or representatives. They shall be independent from the Council and shall be elected from amongst the members of the Forum.
- Appointments to the Forum, including the Chairman and Vice-Chairman, shall be two-year appointments.
- Members of the Forum may resign by giving notice to the Chairman.
- Members of the Forum may appoint substitute representatives to attend Forum meetings

Quorum: 6

Frequency

Quarterly with any additional meetings to be arranged by agreement with the Forum.