
REPORT TO:	COMMUNITY SCRUTINY COMMITTEE	AGENDA ITEM:	12(b)
DATE OF MEETING:	2 nd DECEMBER 2002	CATEGORY:	
REPORT FROM:	HEAD OF COMMUNITY SERVICES	RECOMMENDED OPEN	
MEMBERS' CONTACT POINT:	DENNIS DORMAN	DOC:	
SUBJECT:	DISABILITY DISCRIMINATION ACT	REF:	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:	

1.0 Purpose of Report

1.1 To inform members of the progress made to date to comply with the Disability Discrimination Act 1995

2.0 Detail

2.1 The Government, with an aim to end the discrimination that many disabled people face, introduced the Disability Discrimination Act (DDA) 1995. This Act gives disabled people rights in the areas of :

- Employment
- Access to goods and services
- Buying land or property

The employment and first rights of access came in to force on December 2 1996; further rights of access came into force on 1 October 1999; and the final rights of access will come into force in October 2004.

2.2 The maintenance department had an audit carried out of the civic offices in 1996, together with other relevant buildings to which the public had access. This was to assess the works required to meet with Part M of the Building Regulations, which also addresses access to goods and services.

The audit identified 49 Public Buildings for which the Council had responsibility. However, of these, only 10 properties were identified as being open to the Public or occupied by the authority which the council would apparently be responsible for under Part M of the Building Regulations and now the DDA.

- The Civic Offices
- Greenbank Leisure Centre
- Grove Hall
- Etwall Pool
- Etwall Squash Courts

- Maurice Lee Park Sports Pavilion
- Eureka Sports Park Pavilion
- Swadlincote Town Hall
- Market Hall
- Rosliston Farm Visitors Centre

These properties were assessed at that time for accessibility, toilet facilities and audience facilities. Of the ten assessed only six met the criteria required at that time.

The other 39 properties are, according to the survey carried out, either leased properties or not open to the public on a regular basis.

Upon reviewing the guidance provided in relation to accessibility, and through discussions with other authorities, it is our view that many of these other properties also need to be audited and improvements undertaken. To ensure compliance with the Act the 10 properties listed should also be re-audited.

- 2.4 There is also the matter of addressing the DDA in Sheltered Housing. At this time there are 11 internal and external communal areas in our Sheltered housing complexes that will need to be assessed.
- 2.5 Larger Councils employ a Disability Access Officer. This authority does not have such a post and does not have existing staff with either the capacity or skills to undertake these audits. As this is a specialist operation a consultant will have to be engaged to assess our properties and supply an action plan and costing to enable the council to comply with the Regulations.

3.0 Financial Implications

- 3.1 To meet the cost of this audit, a Revenue Service Bid of £40,000 has been submitted. It is hoped that funds can be found from this year's budget to commence the works rather than waiting until 2003/04. The later we start the work, the less chance we have of meeting the October 2004 deadline.
- 3.2 Once the audit has been undertaken, and the improvement works identified and costed, a capital bid will need to be made based on the costs identified by other authorities, this figure could easily run into six figures, with some authorities spending up to £500,000. Again, the timing of such a capital bid will have to be discussed with the Finance Manager, once the funding for the audit has been agreed.

4.0 Corporate Implications

- 4.1 Failure to comply with the Governments Regulations is not a direct breach of the law, but it can be used in a case to show that discrimination has occurred

5.0 Community Implications

- 5.1 Without undertaking this work, people with a disability could argue that they do not have adequate access to Council Services.

6.0 Conclusions

6.1 While there would appear to have been some planning for compliance for this Act the only apparent scheme that is in place is the programmed works to make the Civic Offices fully accessible for persons with disabilities, the programme runs from 2001 through to 2004

This scheme identifies; -

- The need for a creation of a ramp from car park 2001/02 (complete).
- To repair / refix rear automatic entrance door 2001/02 (completed)
- Widen doors into offices (phase 1) 2001/2 (completed)
- Install lift through floor lift from reception to first floor (2002/03) (on hold)
- Widen doors to offices (phase 2) 2002/03 to be completed
- Install glazed vision panels to doors 2003/04

There has been no progress on the other identified properties. This has been highlighted recently and has prompted the following list of actions:

- Compilation of an up to date list of the properties that the council has responsibility for.
- Compilation of a list of those properties requiring compliance with the DDA.
- A survey of all Sheltered housing internal and external communal areas and any other relevant areas that require compliance with the DDA.
- If funding is forthcoming this financial year for the Consultancy fees that are required a Consultant can be procured to undertake the audits. Subject to Capital funding being available improvement works can commence in 2003 with a target date of completion for 2004

7.0 Background Papers

The Building Regulation 1991, The Workplace (Health Safety and Welfare) Regulations 1992 and The Disability Discrimination Act 1995 Part 111

