

**Minutes of the West Berkshire Council's
Disability External Scrutiny Board
Meeting 25 April 2013**

Item	Notes
Board Members in attendance	Jan Rothwell (Chair), Alan Fleming, Mick Hutchins, John Carr, Sue Hinks, Keith Hester.
Others	Councillor Pamela Bale, Councillor Gwen Mason, Paul Hendry (Countryside Manager), Nick Forster (Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust - BBOWT), Jo England (Client Financial Services Manager), Mel Brain (Housing Strategy and Operations Manager), Andrew Wheldon (Principal Benefits Officer), Elizabeth O'Keefe (Newbury Town Council), Elaine Walker (Principal Policy Officer).
1. Introduction and apologies.	<p>The Chairman welcomed everyone to the meeting.</p> <p>Apologies: Apologies were received from Norma Weaver, Kate Green and Councillor Julian Swift-Hook</p>
2. Minutes and Matters Arising.	<p>The draft minutes of the meeting held on 25 April 2013 were approved as a true and correct record.</p> <p>The responses to actions arising from the previous meeting were circulated to the Board.</p>
3. Presentation from Countryside and BBOWT	<p>Paul Hendry presented a proposal to place the management of the countryside within West Berkshire with BBOWT. He explained that this was expected to be beneficial as the management of the countryside would in future, sit with an organisation with a focus on ecology and conservation rather than amongst competing priorities within the Council. The proposal has been consulted on, and comments from the board would be welcomed. In addition, Paul Hendry asked for advice as to how the disabled community should be involved moving forwards.</p> <p>Nick Forster (BBOWT) assured the board that equalities was taken seriously by BBOWT and had been a clear part of the requirements for handing over management of the countryside to BBOWT. Nick Forster was looking to maintain and, where necessary, improve access to the countryside. He added that Paul Hendry would oversee the work of BBOWT.</p>

Item	Notes
	<p>AF commented that there was a car park at Tidmarsh on the A339 with a height barrier that prevented him from using the car park to access adjacent countryside as his car was taller than average. He noted that there were a number of other car parks with similar barriers and asked whether provision could be put in to allow access for people who needed taller cars. Paul Hendry advised that the barriers had been installed to deter itinerants and explained that in some locations a kinked barrier had been installed to allow access for vehicles such as land rovers. AF advised that his car was too wide for the kinked area and he was still unable to access these car parks. Nick Forster agreed to clarify any formal requirements surrounding this, and to investigate potential solutions.</p> <p>AF mentioned other examples including Mapledurham Lock and Greenham Common where access was impeded by the height barrier entry, gravel footpaths, etc. Paul Hendry noted that the Council's does not necessarily have authority to make amendments if the land is owned privately or by other authorities.</p> <p>SH asked what provision there was in the various areas of countryside for guide dogs to be allowed to run free. Paul Hendry advised that there were no blanket restrictions. In some areas there were voluntary restrictions but these were matched by dog exercise areas also being available. SH considered that it would be useful to make guide dog owners aware of what is available to them, and in addition let people know what walks are available to those who want to walk with guidance.</p>
<p>4. Welfare Benefits</p>	<p>Jo England presented information relating to Welfare Reform advising that the majority of the changes were being imposed by the Department for Work and Pensions (DWP), and the information therefore intended to explain how West Berkshire Council would be working to implement the required changes.</p> <p>A presentation is attached containing information on the Welfare Reforms.</p> <p>Jo England clarified the following points:</p> <ul style="list-style-type: none"> • People who are currently entitled to disability living allowance are exempt from the benefit cap on household income. In West Berkshire anyone affected by the benefit cap on household income has been notified by letter. The majority of those affected are larger families. • Council Tax benefit is being replaced by a local scheme which means that working age individuals who are not protected for reasons of disability will be required to pay a minimum of 8.5% of their Council Tax value. Approximately 2,500-3,000 people in West Berkshire are affected and all have been contacted by letter.

Item	Notes
	<ul style="list-style-type: none"> • Disability Living Allowance will be abolished and replaced with Personal Independence Payments. Anyone affected will be invited to transfer to the new payment. • Universal Credit would replace a number of benefits with a single payment. This would be paid monthly (contrary to current weekly or fortnightly benefit payments). There was a concern that by placing all benefits in one pot, there would be no fall back position if payments failed for any reason. In addition, as payments would now be paid to individuals rather than directly to the service provider (for example housing benefit is currently paid directly to the landlord) there was a risk of individuals defaulting on payments. • The welfare changes affect working age individuals who are currently in receipt of benefits. Individuals who are over the age of 65 at the date the changes take place will not be affected by the reforms. <p>AF asked where the assessment centres would be for assessment for Personal Independence Payments advising that the Reading location was inaccessible to wheelchairs which was of particular concern as not being able to access the assessment counted as a 'no show' and benefits would automatically be stopped. Jo England responded that little information was currently available from the DWP but it would be made available when it was known.</p> <p>AF requested that representation be made that assessors are fluent in English as he was aware of a case where an individual had been asked if they spoke the assessor's language.</p> <p>MH asked how well prepared the CAB were for the changes. JR explained that a rolling programme of training was planned and that an increase in cases was expected (which was expected to include assisting with the completion of relevant forms).</p> <p>Action 1: Councillor Pamela Bale would raise the issue of suitable and accessible assessment centres with the local MP.</p> <p>Action 2: JC requested that an update on the progress of Welfare Reforms be provided in approximately 6 months.</p> <p>Andrew Wheldon presented further information on the under-occupancy reduction. Further notes are attached.</p> <p>Andrew Wheldon clarified the following points:</p> <ul style="list-style-type: none"> • A variation to the number of bedrooms a family is 'entitled' to will be applied for foster carers from the point at

Item	Notes
	<p>which a child is placed with the family for up to 12 months following approval where no child is placed with the household in the meantime. In addition a provision has been made for up to a 12 month gap between foster children.</p> <ul style="list-style-type: none"> • If a child turns 18 and is receiving any income other than Job Seekers Allowance (JSA – income based), or Income Support, the level of benefit received may be affected as the child is no longer considered to be a dependent and would be able to contribute to household costs. No deduction will however be made where the Housing Benefit or Council Tax Reduction claimant is receiving middle or higher rate of disability living allowance care component or attendance allowance. • A child can only be considered part of one household, so where they reside regularly at more than one property, only one will benefit from being entitled to the extra bedroom. • It has been established through case law that it may be unreasonable to expect a disabled child to share a bedroom with another child, and West Berkshire propose to apply this provision where a child has an established need for overnight care. A separate statutory provision relates to an adult being allowed an additional room where the claimant or their partner has an established need for overnight care that is provided by someone outside of the household, and the customer occupies a property with an additional bedroom that is used for this purpose. • Shared ownership homes are excluded from the under occupancy reductions regardless of the amount of the home owned. <p>Jo England confirmed that anyone affected by any of the upcoming benefit changes will have received notification. Mel Brain added that anyone coming through the Housing Service is spoken to about what the changes will mean for them.</p> <p>Clarification was given that people who do not claim benefit will not be affected by these changes. In addition, there is nothing to prevent people having more bedrooms than they are entitled to, if they can afford the additional rent.</p> <p>Councillor Gwen Mason asked what action could be taken if the changes resulted in increased homelessness for example. Mel Brain responded that as the changes are being imposed nationally, there was little direct action that could be taken, but any trends would be reported, and people will be advised on how to minimise the impact of any reduction in benefit they may experience.</p>

Item	Notes
	<p>Jo England understood that support for mortgage interest would be incorporated into Universal Credit and paid directly to the individual.</p>
<p>5. Discretionary Housing Payment</p>	<p>Mel Brain provided information on Discretionary Housing Payment which is applied locally. The Council is informed annually the maximum amount of money that is available; central government provide a contribution, and the remainder is provided by the Council. There was a significant increase in money available from last year to this and for 2012/13; £604,000 has been made available. This value is capped and awards cannot be made above this level even if it could be seen to be beneficial. The whole value of the pot is used for awards, none for administration.</p> <p>Only individuals in receipt of certain benefits are able to apply to the fund (including housing benefit or universal credit). It is unlikely that long term awards would be agreed, but it may be possible depending on circumstances.</p> <p>Expenditure levels would be assessed for example if money was needed for health needs.</p> <p>There are a significant number of applicants along with an increase in the reporting requirement, therefore it is intended that an Officer be identified to deal with this exclusively.</p> <p>Applications are being received in relation to children and carers and the requirement for additional bedrooms. Where necessary, people are referred back to the Housing Service for reassessment.</p> <p>MH requested an update in approximately 3 months to understand who had applied and whether applications are in relation to additional spare rooms, medically associated applications, etc.</p> <p>Action 3: Mel Brain to provide an update at the next meeting.</p>
<p>6. AOB</p>	<p>Transport Forum – Dropped kerbs have been installed each side of Newbury Station. The next meeting will be on 29 May 2013.</p> <p>Home Care User Group – To be renamed the Personal Budget User Group. A meeting was held last week which was well attended with new people and an interesting discussion was held. The next meeting will consider joint working with health and social services. Councillor Bale suggested that a representative from the Health and Well Being Board be invited to contribute.</p> <p>Access Panel: 3 large plans were considered at the previous week’s meeting, but in general there were fewer large</p>

Item	Notes
	<p>applications being submitted. The next meeting will be in June.</p> <p>AOB:</p> <p>EW noted that a public consultation is currently being carried out regarding Adult Social Care eligibility criteria. The consultation can be found at www.westberks.gov/asc</p> <p>KH asked for clarification as to how blind people were now being assisted with their shopping. MH agreed to provide an update following a meeting to be held with the newly appointed Director for Communities.</p> <p>KH asked about a recent news story involving land surrounding the Council's Market Street offices. Councillor Bale clarified that several years ago the area had been identified for redevelopment in order to improve the gateway to Newbury (from Newbury Station to the Kennet Centre). The plans were to incorporate housing, business and retail premises and car parking. The agreement had been between several parties, and the Council's contribution was to provide the land it owned. In return the Council will benefit from a redeveloped bus station and income from the new car parking, council tax and business rates.</p> <p>JC asked how the Council were performing in relation to encouraging disabled people into work and how they were supported in the work place.</p> <p>Action 4: EW to circulate the latest Annual Employment Report</p>
<p>8. Next meeting</p>	<p>The next meeting is scheduled for Thursday 18th July 2013 in Committee Room 2.</p> <p>Main Agenda Items:</p> <ul style="list-style-type: none"> - Discretionary Housing Payments update - Consultation – policy statement for supporting people with a learning disability - Highways - HR

Item	Notes
	<ul style="list-style-type: none"> - Outcomes from the consultation on Adult Social Care eligibility criteria (October meeting) - Update on Welfare Reform (October meeting)
Meeting dates for 2013/14	<p>Thursday 17th October 2013 in Committee Room 2 Market St, 10:30 am – 1:00 pm</p> <p>Thursday 30th January 2014 in Committee Room 2 Market St, 10:30 am – 1:00 pm</p>

Attached:

Welfare Reform presentation

Under-occupancy reduction information

Annual Employment Report 2011/12