
**SMOKING IN SHELTERED ACCOMMODATION TASK AND FINISH REVIEW
GROUP – FINAL REPORT**

**Responsible Cabinet Member - Councillor Bill Dixon,
Community and Public Protection Portfolio**

Responsible Director(s) – Paul Wildsmith, Director of Corporate Services

Purpose of Report

1. To report the Social Affairs and Health Scrutiny Committee's recommendations in relation to smoking in sheltered housing.

Information and Analysis

2. At its meeting in August, the Social Affairs and Health Scrutiny Committee established a task and finish review to look at the issue of smoking within sheltered housing schemes, following the concerns of wardens and in line with the proposed changes to legislation regulating smoking in public places. The findings of the Review Group are attached in at **Appendix 1**.
3. The findings and recommendations were considered by the Social Affairs and Health Scrutiny Committee at its meeting held on 5th December, 2006. Any changes made by the Scrutiny Committee to the following recommendations will be reported verbally at the meeting.
 - (a) That a letter be sent on behalf of Darlington Borough Council as landlords, asking residents and users of sheltered housing schemes to refrain from smoking in communal areas for the benefit of other residents, staff and the wider community from 1st January, 2007.
 - (b) That the implications of the forthcoming changes to legislation regulating smoking public places be explained to residents.
 - (c) That support be offered to any residents who may wish to stop smoking via the Primary Care Trust's Smoking Cessation Service.

Directors' Comments

4. Only four sheltered housing schemes now have smoking in communal areas, with the majority of residents strongly supporting a smoke free environment. The proposal will help protect the health of everyone who uses these communal facilities.

Legal Implications

5. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

6. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

7. The issues contained within this report do not represent change to Council policy or the Council's policy framework.

Decision Deadline

8. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Recommendation

9. It is recommended that subject to approval of the recommendations by the Social Affairs and Health Scrutiny Committee, Cabinet are asked note and accept the recommendations of the Task and Finish Review Group in relation to Smoking in Sheltered Housing.

Reason

10. To enable the views of Cabinet to be sought and referred back to the Social Affairs and Health Scrutiny Committee.

Paul Wildsmith
Director of Corporate Services

Background Papers

There were no background papers used in the preparation of this report.

Caroline Thomas: Extension 2365

**SMOKING IN SHELTERED HOUSING TASK AND FINISH REVIEW GROUP –
FINAL REPORT**

Purpose of Report

1. To advise Members of the Social Affairs and Health Scrutiny Committee of the findings and recommendations of the Smoking in Sheltered Housing Task and Finish Review Group.

Background Information

2. Following concerns raised by wardens to the Community Services Department and a recommendation from the Tenants' Board on 21st June, 2006 the issue of smoking within sheltered housing schemes was referred to the Social Affairs and Health Scrutiny Committee for further investigation.
3. As such, a Task and Finish Review Group was established at the Committee's meeting on 22nd August, 2006 to look at this issue in more detail, especially in line with the proposed changes to legislation regulating smoking in public places.

Membership of the Task and Finish Review Group

4. Councillor Holmes and Mrs. Swift.

Methods of Investigation

5. The Review Group met with Barry Pearson, Environmental Health Manger, Department of Development and Environment; Jill Walton, Warden Services Manager, Community Services Department; Maggie Swinden, HR Manager (Policy and Strategy) and Margaret Clemence, Warden and Union Representative on 17th October, 2006 and considered the following issues: -
 - (a) Existing smoking policies and practices across sheltered accommodation;
 - (b) Impact of proposed changes in legislation regulating smoking in public places;
 - (c) Council's amendment to the No Smoking at Work Policy to withdraw informal smoking breaks;
 - (d) How employees were supported if they wished to stop smoking
6. The Group also met informally on 2nd November to agree its conclusions and recommendations and would like to thank the Officers concerned for the support and assistance given to this Review.

Findings

7. Since 1999, a number of sheltered housing schemes have adopted a voluntary no smoking policy in communal areas. This was agreed by a resident vote in each of the 22 schemes, following which, the majority voted for no smoking on 14 sites, whilst eight sites retained the option to smoke in communal areas.
8. Over recent years, there has been a marked increase in the number of non-smokers and in use of these communal areas as community facilities and following consultation with the Tenants' Board a recommendation was made that smoking be stopped in all communal lounges for the benefit of those attending the social activities, staff and the wider community.
9. As a result of the Tenants' Board's recommendation four further sites have adopted a no smoking policy in communal areas, however four sites, namely, Roxby Court, Windsor Court, Wesley Court and King William Street, have a small number of residents wishing to continue smoking in communal areas.
10. The Social Affairs and Health and Public Protection and Community Partnerships Scrutiny Committees recently considered the Department of Health's consultation document on Smoke Free Premises and Vehicles and welcomed the progress being made towards implementing such legislation.
11. The Committees highlighted the importance of this forthcoming legislation to the vision for Darlington, in terms of improving health and wellbeing of local people and upholding the following objectives:
 - (a) Reducing the risk to health from exposure to second hand smoke
 - (b) Recognise a person's right to be protected from harm and to enjoy smoke-free air
 - (c) Increase the benefits of smoke-free enclosed public places and workplaces for people trying to give up smoking so that they can succeed in an environment where social pressures to smoke are reduced
 - (d) Save thousands of lives over the next decade by reducing both exposure to hazardous second hand smoke and overall smoking rates.
12. The Review Group therefore feels that withdrawing the facility to smoke in communal areas across all sheltered housing schemes at the earliest opportunity is key to promoting a smoke-free environment which will protect the health of residents, the employees who work in these premises and the wider community who access these community facilities.
13. Residents, would however, still be able to smoke in their own flats and outside the buildings should they wish to do so.
14. The Group discussed the way in which informal smoking breaks during office hours were withdrawn across the Council in April 2006 and feel that, in line with the support offered to Council employees, free help and advice to residents wishing to give up smoking be offered via the Primary Care Trust's Smoking Cessation Service.

Conclusion

15. The Review Group is of the view that:
- (a) All warden controlled premises should adopt the same policy with regard to smoking in communal areas;
 - (b) Smoking facilities be withdrawn across all 22 schemes at the earliest opportunity in order to promote a smoke free environment and protect the health and wellbeing of other residents, staff and members of the community who use these premises;
 - (c) Support should be offered to residents who wish to give up smoking in partnership with the Primary Care Trust's Smoking Cessation Service.

Legal Implications

16. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

17. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Recommendations

18. That the support the Social Affairs and Health Scrutiny Committee be given to the Review Group's conclusions and the following recommendations:
- (a) That a letter being sent on behalf of Darlington Borough Council as landlords, asking residents and users of sheltered housing schemes to refrain from smoking in the communal areas for the benefit of other residents, staff and the wider community.
 - (b) That the implications of the forthcoming changes to legislation regulating smoking in public places be explained to residents.
 - (c) That support be offered to any residents who may wish to stop smoking via the Primary Care Trust's Smoking Cessation Service.

Smoking in Warden-Controlled Premises Task and Finish Review Group