

PLACE SCRUTINY COMMITTEE

1 September 2016

PRESENT – Councillor Carson (in the Chair); Councillors Cossins, L Hughes, KE Kelly, Lyonette, Mills, MR Nicholson, Tostevin, Wright and York. (10)

APOLOGIES – (0)

ALSO IN ATTENDANCE – Councillor Baldwin. (1)

OUTSIDE BODIES – Gordon Pybus, Darlington Association on Disability.

OFFICERS IN ATTENDANCE – Bill Westland, Assistant Director Regulatory Services, Paul Branch, CCTV and Parking Manager, Steve Petch, Place Strategy Manager and Lead Officer, Stephen Wiper, Creative Darlington Manager, Elizabeth Caygill, Customer Services Advisor, Malcolm Purdie, Parking Enforcement and Karen Graves, Democratic Officer.

P1. DECLARATIONS OF INTEREST – There were no declarations of interests reported at the meeting.

P2. TIMES OF FUTURE MEETINGS – RESOLVED – That meetings of this Committee be held at 9.30am on those dates as agreed on the calendar of meetings by Cabinet at Minute C130/Mar/16.

P3. MINUTES – Submitted – The Minutes (previously circulated) of the meetings of this Scrutiny Committee held on 11 February, 31 March and 13 May 2016.

RESOLVED – That the Minutes be approved as correct records.

P4. MATTERS ARISING – There were no matters arising.

P5. WORK PROGRAMME 2016/17 – The Director of Neighbourhood Services and Resources submitted a report (previously circulated) requesting that consideration be given to the revised methodology for this Scrutiny Committee's current work programme.

It was reported that the proposed work programme has been reviewed and revised to enable the Committee to analyse information for each topic area aligning it to the eight outcomes and three conditions in the Sustainable Community Strategy, and relevant performance indicators from the Performance Management Framework.

The proposed structure of the work programme will provide Members with the opportunity to develop each topic through a series of questions and drill down to investigate particular aspects of extensive topics.

The Lead Officer referred to the scheduled in the submitted report and provided Members with an updated position in relation to individual items.

Discussion ensued on the need to ensure that cross-cutting metrics were considered by all relevant Scrutiny Committees and whether performance information was accessible online by Members.

It was stated that the Darlington Credit Union was considering the launch of a mobile service and it was questioned whether it could be incorporated with the Mobile Library service.

RESOLVED – (a) That the revised methodology of the Work Programme be agreed.

(b) That the Work Programme be updated to reflect the decisions of this Scrutiny Committee.

P6. MANAGING BLUE BADGE ISSUE AND USE – The Director of Economic Growth submitted a report (previously circulated) outlining how blue badge eligibility is determined and subsequent use monitored in order to minimise misuse.

It was stated that the Disability Discrimination Act (DDA) 1995 (as amended by the Disability Discrimination Act 2005) required that all public authorities, in carrying out their functions, must have due regard to eliminating discrimination and harassment that is unlawful under the DDA; the need to promote equality of opportunity between disabled persons and others, and the need to provide for people with disabilities, even if that involves treating disabled persons more favourably.

Scrutiny was informed that Government policy was that disabled people, or those with mobility problems, should be able to travel with the minimum of difficulty and the Blue Badge Scheme, designed to help severely disabled people to travel independently, as either a driver or passenger, provided a range of national on-street parking concessions for people with severe mobility problems, who have difficulty using public transport.

Details were supplied of the paperless application process which is administered by Customer Services, allows for a decision on eligibility to be made at first point of contact by the applicant, reduced processing time for an initial decision from 20 working days to seven minutes and had eliminated costs whilst increasing the number of staff able to process applications.

The three outcomes for an application are approved, referred to occupational therapist or declined. It was noted that an existing Blue Badge holder does not automatically qualify for a new badge which should be applied for two months before expiry of the existing badge to allow time for an assessment to be undertaken. Applicants can appeal a decision although if a Stage 2 Appeal is declined there is no further right of appeal.

All eligible applicants who have reached the end of the process by proving their ID and paying for the badge are entered into the national database called BBIS (Blue Badge Improvement Service).

A Blue Badge entitles the holder to a number of parking concessions including free of charge and without limit at on-street parking meters and on-street pay and display spaces; as long as they wish where others may park only for a limited time, unless there is an Order in place specifically time-limiting parking for Blue Badge holders; and on single and double yellow lines for up to three hours except where there is a ban on loading and unloading.

Misuse of Blue Badges includes using a badge that is no longer valid; use of the badge without the badge holder's permission; use by the holder of a badge that has been reported lost or stolen; and use of a stolen or copied badge.

The criteria and evidence checks for issuing Blue Badges have been considerably tightened with all local authorities moving to a national system under the Department of Transport. A Blue Badge is to aid mobility, so it is not unreasonable to ask all applicants to attend the Town Hall to prove their condition. And provide proof of ID, current address, benefits and health conditions. A photograph of the applicant is also taken to ensure the badge holder is using the badge.

Scrutiny was advised that identifying misuse of a Blue Badge once it has been issued can be time-consuming and difficult with the most common form of abuse being use of the badge by friends or family of the holder. The Department for Transport recommends that where there is a clear problem and a business case for tackling abuse that a specialist Blue Badge enforcement team carries out undercover surveillance work to build up sufficient evidence to prosecute the individual in the Magistrates Court. This level of action has not been deemed necessary in Darlington to date.

The majority of complaints, once investigated, are unfounded as it is found that the holder is in receipt of a qualifying benefit.

The Council's Civil Enforcement Officers (CEOs) within the Parking Regulation Team regularly seize out of date or fraudulently used badges. In 2015, 57 badges were seized, and from January to July 2016, the CEOs have seized 32. The Council does not routinely prosecute offenders and out of date badges are destroyed.

Gordon Pybus, Darlington Association on Disability addressed the Committee and suggested there were two main issues within the submitted report, namely, obtaining a Blue Badge and enforcement. Concerns were raised that not all applicants were in a position to attend in person at the Town Hall due to their disability and that consideration should be given to undertaking home visits in these instances. It was also stated that due to the proposed removal of disabled parking bays under the Council Chamber Canopy applicants had further to walk to make their applications.

Scrutiny was also advised that many Blue Badge holders were unsure of the rules relating to use of a Blue Badge even though holders were given a comprehensive information booklet when receiving the Blue Badge.

Reference was made to a successful month long Annual Awareness Campaign that used to be administered by the Police to ensure correct use of a Blue Badge and whether there was scope to re-introduce some sort of campaign in Darlington.

The Assistant Director Regulatory Services advised Members that the current approach to abuse of Blue Badges worked well with the limited number of Council Enforcement Officers and that many parking practices had been modified following concerns and comments. The use of a specialised team, as recommended by the Department for Transport, to tackle misuse of Blue Badges was not considered to be cost effective to the Council and there could be scope for an awareness campaign through the Darlington Together magazine or the local press.

Discussion and challenge on a number of issues including the number of Blue Badges in circulation and the small percentage of misuse in Darlington, some of which were out of town Blue Badge holders; written information provided to holders of Blue Badges; possibility of sharing enforcement resources with a neighbouring local authority which would still incur a cost as there would be a larger geographical area to cover; and the introduction of a FAQ leaflet outlining key points and 'Do's' and 'Don'ts' of the scheme.

It was further stated that repeat offenders were known to the Parking Enforcement Officers although the information was not stored on the hand-held devices; there were very few fake Blue Badges in circulation; and that Blue Badges no longer required should be returned to the Town Hall.

In relation to lost or stolen Blue Badges Members were informed that for a fee of £10 a further Blue Badge was issued with the expiry date of the lost or stolen Blue Badge.

RESOLVED – (a) That the submitted report be noted.

(b) That this Scrutiny Committee requests that the Customer Services Manager investigate the possibility of undertaking home visits where applicants are unable to attend in person at the Town Hall especially in light of the removal of disabled parking bays underneath the Council Chamber Canopy.

(c) That a further report be submitted to the meeting of this Scrutiny Committee scheduled for 16 February 2017.

P7. CREATIVE DARLINGTON BOARD – Submitted – The Minutes of the meetings of the Creative Darlington Board meetings held on 29 February and 13 June, 2016 which provided updates on Darlington Borough Council's mid-term financial plan's impacts on culture, Creative Darlington Board update, Creative Darlington Priorities for 2016/17 – 2025 and Audience Development for Performing Arts while Capital Programmes Ongoing, Developing Finance for Arts Activity Opportunity, Risk Management, Creative Darlington Terms of Reference, Theatre Transition Work and Theatre Town Promotion, Darlington Arts Festival 2016 and Proposal to support Darlington Arts Festival 2017 and Luxi Limited Proposal.

The Creative Darlington Manager attended the meeting and provided Members with further information and updates relating to arts, heritage and culture opportunities within Darlington. Particular reference was made to the 'Darlington as a Theatre Town' Campaign; use of the recently renovated Majestic to host the Pantomime due to the refurbishment of the Civic Theatre; Luxi Ltd providing support, in partnership with Battersea Arts Centre, to the Jaggerwocky Markets bringing theatre to local people; Includfest held in South Park during July receiving support from local businesses and

the expectation that this could again be held during 2017 with satellite events being held by neighbouring authorities; and the possibility of Festival of Thrift including the Darlington Theatre Offer and Heritage of the Town.

Discussion ensued on the need to provide a continued culture offer in Darlington as many events had tourism benefits as they were attended by non-Darlington residents.

RESOLVED – That the Minutes be received.
