



Leicester  
City Council

**OVERVIEW AND SCRUTINY  
MANAGEMENT BOARD**

**27<sup>th</sup> AUGUST 2009**

**CABINET**

**25<sup>th</sup> JANUARY 2010**

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**Report of the Regeneration and Transport Scrutiny Task Group  
Review on access and design issues**

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**1. PURPOSE OF REPORT**

- 1.1 To present the findings of the Task Group inquiry into issues relating to access and design relating to Leicester City Council particularly in relation to the findings of the Comprehensive Performance Assessment (CPA) of June 2008 (4.1).
- 1.2 To ask the Overview and Scrutiny Board to accept the recommendations set out in Section Two below.

**2 RECOMMENDATIONS**

- 2.1 Establish a Corporate understanding of and commitment to inclusiveness as set out in the Inclusive Design Aims (Appendix 1).
- 2.2 Establish a clear weighting for decision-making processes that recognises the rights and needs of people over cars and aesthetics. This should include processes for ongoing learning and reflect the overarching strategy of the One Leicester document, including the stated need to “drive out inequalities”.
- 2.3 Provide training, information and support to ensure that all Members, officers and relevant consultants understand and embrace inclusive design, targeting first those who have direct planning and design responsibilities.
- 2.4 Develop a clear “quality review and improvement” process for each project’s stage which addresses inclusive design issues,

disseminates lessons learnt and best practice and improves outcomes.

- 2.5 Produce Supplementary Planning Guidance which sets out the Council's commitment to Inclusive Design together with high standards of access and inclusion which it requires for all projects (i.e. its own projects and those which it seeks to influence through its statutory powers).
- 2.6 To link 'Design and Access Statement' with project handover statements and ensure they are part of a continuous living & well used document that has review elements built in to it
- 2.7 Ensure Inclusive Design requirements are embedded in the Council's procurement processes to help raise the standard of and commitment to inclusive design.
- 2.8 To continue to support and adequately resource the principles of:
  - (i) An Inclusive Design Advisory Panel (to provide expert inclusive design advice); and
  - (ii) involving people with disabilities in developing projects and services,
- 2.9 To establish a programme of reviews in the next 6 –18 months to ensure actions enable the desired outcome of Inclusive Planning & Design is being achieved.

### **3 INTRODUCTION**

- 3.1 The Task Group review followed comments from the Audit Commission on the Council's performance in the promotion of equality and diversity (See Section 4 Pars 1 – 4).
- 3.2 The terms and scope of the inquiry were set out by the Overview and Scrutiny Management Board on November 2008. The minutes of this meeting can be seen through the link <http://www.cabinet.leicester.gov.uk/ieListDocuments.asp?CId=427&MId=2453&Ver=4>
- 3.3 The scoping document for this Review can be seen via the link [http://www.cabinet.leicester.gov.uk/Published/C00000427/M00002453/AI00020832/\\$accessandequalityscrutinyrequest.doc.pdf](http://www.cabinet.leicester.gov.uk/Published/C00000427/M00002453/AI00020832/$accessandequalityscrutinyrequest.doc.pdf)
- 3.4 The main elements of the Review, as set out in the scoping document, were to:

- 3.4.1 Review the Council's interpretation and execution of access design issues as highlighted by the Audit Commission's review of the function.
  - 3.4.2 Raise the awareness of the importance of accessibility as an equality issue for developers, planners and councillors.
  - 3.4.3 Ensure adequate equality impact assessments and equality statements are carried out across all areas, as well as other measures to ensure delivery of accessibility and equality.
- 3.5 The Task Group agreed to look at four separate and distinct aspects of development in the City. Minutes are contained in the appendices.
- 3.6 The projects considered were:
- 3.6.1 Colton Square (minutes of Task Group: Appendix 2)
  - 3.6.2 The Brite Centre (minutes: Appendix 3)
  - 3.6.3 star trak bus information system (minutes: Appendix 2)
  - 3.6.4 City Centre pedestrianisation. (minutes: Appendix 4)
- 3.5 These reflected a range of projects - a private sector commercial development, a Council public building, a transport scheme and a regeneration project.
- 3.6 The objective of the Review has been to determine how access and equality procedures and best practice influenced the development of a range of designs and projects.
- 3.7 The Task Group received evidence from within the Council and from a range of outside organisations and individuals with expertise and knowledge on issues relating to disability and access.
- 3.8 These included Leicestershire Centre for Integrated Living (LCIL – link <http://www.lcil.org.uk>). Chief Executive Dee Martin, Eric Day - Equality and Access Team Manager and Jai Parmar - Equality and Diversity Partnership Co-ordinator were amongst LCIL staff who provided information, support and guidance to members of the Task Group.
- 3.9 Also offering help and advice was Sally Williams, of Leicester Disabled People's Access Group. The continued input and

advice from groups outside the Council was considered to be an important element of this Review.

- 3.10 The Chair of the Task Group would also like to put on record the appreciation felt for the courtesy, patience, professionalism and help offered by Council officers within the Regeneration and Transportation team throughout the period of the Review.
- 3.11 It would also be appropriate to acknowledge the work and leadership of the previous leader of the Task Group, Cllr Sarah Russell, who guided this Review until its very late stages before moving to another arena within the Council.
- 3.12 The Colton Square project had been singled out within the CPA review for particular comment. (For links to the report see 4.1 below).
- 3.13 The CPA said, without naming the project specifically, that “a new office building has external wheelchair lifts because the design incorporates steps up to the front of the building.”
- 3.14 It said that “focusing on minimum standards rather than best practice had resulted in a compromise in this instance.” A link to the planning approval for the scheme is <http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20051900>.
- 3.15 During the course of the Review members were keen to explore the mechanisms which existed to integrate considerations of access into planning and development procedures, and the effectiveness of those mechanisms. The projects outlined in 3.6 were examined against this consideration.
- 3.16 Members were also keen to highlight the need to introduce best practice, rather than minimum legal requirements, into Council procedures and documentation.
- 3.17 A wide range of Government and other advisory documentation was reviewed to assess developing policy and practice against existing Council policy and practice. These are set out in Section 4.

## **4 REVIEW AND POLICY FRAMEWORK**

- 4.1 The origins of this Review lie to a significant extent in the Audit Commission’s Comprehensive Performance Assessment (CPA) of June 2008. The link to this report is <http://www.audit-commission.gov.uk/SiteCollectionDocuments/InspectionOutput/CorporateAssessments/LeicesterCCCA3rdJune08REP.pdf>

- 4.2 The CPA review of Leicester City Council says (Par 14: Areas for Improvement) that it “should demonstrate more effective leadership around the Equality and Diversity agenda....
- 4.3 ”Setting high standards for disability access and taking a lead role in delivering outcomes for diverse groups will demonstrate greater leadership.”
- 4.4 The Task Group looked at the factors which led to the comments above and what could and should be done to address the issues identified by the Audit Commission.
- 4.5 In particular, the difference between what might be considered to be minimum requirements in terms of standards and accessibility was compared with what is considered to be best practice.
- 4.6 The CPA review said (Par 83) in respect of access to services: “Disability access is adequate but there is a focus on meeting the minimum standards required by legislation rather than setting high standards of access.”
- 4.7 And even where there were clear policies set out by the Council it was not always clear to members that the right mechanisms to translate policy into practice were in place. This was commented on throughout the Task Group Review.
- 4.8 Current thinking from the Audit Commission is set out in more recent reports. A report on Northampton Borough Council access to services says:
- “...Other white papers identified the need for local government to deliver joined up, accessible, electronically delivered, open, and accountable services. Improving customer access requires wider national drivers to be taken into account.
- “These include the Race Relations (Amendment) Act 2000, Human Rights Act 1998; Disability Discrimination Act (DDA) 1995, Employment Equality Regulations for Age, Sexual Orientation and Religion or Belief. Disability Equality Duty and the Equality Act 2006. Councils should be considering their approach to Equalities as a result of the Single Equality Bill. “
- (<http://www.audit-commission.gov.uk/localgov/audit/inspection/reports/Pages/northampton9jun2009.aspx>: Par 14: National Context).
- 4.9 Some councils have taken a proactive view about how to align their planning procedures and policies with the needs and requirements of people with disabilities.

- 4.10 Wigan Council introduced supplementary Planning Guidance (SPG) which addressed this issue. Wigan Council says that “in most instances, applicants are now required to submit a Design and Access Statement with their planning application to show that it will create an environment that is accessible to all.”
- 4.11 The effect has been to embed access and accessibility into a project from the outset. Evidence from Wigan Council is summarised in Appendix 5. This experience, coupled in particular with evidence given to the Task Group on Colton Square and the streets and spaces projects, informed recommendations 2.5-2.7.
- 4.12 As the Task Group got under way, the Government issued a range of documents upgrading advice and guidance about inclusive design in relation to people with disabilities. Links to departmental publications and proposed legislation are contained in Appendix 6.
- 4.13 This builds on such comparatively new legislation as the 1995 Disability Discrimination Act, which came into force in 2004. ([http://www.opsi.gov.uk/acts/acts1995/ukpga\\_19950050\\_en\\_1](http://www.opsi.gov.uk/acts/acts1995/ukpga_19950050_en_1)) and the 2005 amendments to the DDA ([http://www.opsi.gov.uk/acts/acts2005/ukpga\\_20050013\\_en\\_2](http://www.opsi.gov.uk/acts/acts2005/ukpga_20050013_en_2))
- 4.14 The DDA puts a general duty on local authorities to have due regard to the need to :
- 4.14.1 eliminate discrimination that is unlawful under this Act;
  - 4.14.2 eliminate harassment of disabled persons that is related to their disabilities;
  - 4.14.3 promote equality of opportunity between disabled persons and other persons;
  - 4.14.4 take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
  - 4.14.5 promote positive attitudes towards disabled persons; and
  - 4.14.6 encourage participation by disabled persons in public life.
- 4.15 Additionally, the Council has published its Local Development Framework Core Strategy Document for consultation as part of the development of the One Leicester strategy.
- 4.16 Supplementary guidance includes the Council's Design and Access statement <http://www.leicester.gov.uk/your-council--services/ep/planning/planningapplications/planningapplications/adviceforapplicants/designstatements>

- 4.17 This requires planning applications to be accompanied by a report to “explain and justify the proposal in a structured way, relating the development to current planning policies.” These are set out in the Local Plan which was adopted in 2006 (<http://www.leicester.gov.uk/index.asp?pgid=29075>)
- 4.18 The updating of Council strategic documents as well the more detailed procedures to ensure that they reflected best practice rather than minimum requirements, informed recommendations 2.1 – 2.7.
- 4.19 Recommendation 2.7 envisages that tendering documents should always include a statement on inclusiveness, with the option to scrutinise further a designer’s/contractor’s understanding of Inclusive Design at the selection stage. This understanding can at present be limited to inaccurate statements such as schemes being ‘DDA compliant’.
- 4.20 Finally, in making recommendation 2.8, members of the Task Group felt that the ability of the Leicestershire Council for Independent Living to provide informed, timely and expert comment should continue to be supported.
- 4.21 This advice is not just available to the Council but to private sector organisations looking to develop building, activities or functions within the City. From a strategic perspective, it might assist the Council to avoid or mitigate possible future litigation relating to the interpretation or implementation of the DDA.
- 4.22 The reviews of the Colton Square, Brite Centre and City Centre streets and spaces projects showed how important it was to establish at the earliest point the principles of design which is inclusive to people with disabilities from the earliest stages.
- 4.23 Members received a number of briefings about the development of **Colton Square** (see pars 3.11, 3.12 and 3.13, and appendix 2). The minutes of the Task Group meeting in Appendix 2 reflect members’ concerns that the development of the design put the interests of cars ahead of people in this case – at odds with the principles enshrined in the One Leicester strategy.
- 4.24 At the **Brite Centre** the site visit identified issues which were being picked up and improvements being made to make the centre more accessible. Members and officers identified that while the project was being built to a budget, input to advise on access design was not prominent at early stages of development.

- 4.25 The Task Group considered evidence (Minutes in Appendix 4) from officers on the **Streets and Spaces** project (<http://www.leicester.gov.uk/your-council--services/ep/regeneration/regenerationnews/streets-and-spaces>) within the city centre and the extent to which accessibility had been integrated into the project.
- 4.26 Members were told the scheme, which was in the order of £20-25m, had two main elements:
- 4.26.1 Work in the central commercial area
- 4.26.2 Curve and Cultural Quarter
- 4.27 They were told the objective was to enhance the city centre, making it accessible and inclusive and encouraging people to visit and re-visit the areas, helping businesses and the theatre and cultural endeavours to thrive.
- 4.28 The aim was also to separate vehicle movements from pedestrians – particularly in High Street where the impact of buses on the environment of the area was high.
- 4.29 The outcome was to move bus routes and stops further away from the central area, including the markets, but he said the benefits of the improved safety and environment outweighed the disadvantages of the shift in bus services.
- 4.30 Members asked when an access statement on the project was done were told a “high level” review had been undertaken after the project had got under way, but not an accessibility audit looking at individual spaces within the scheme.
- 4.31 The access audit was not embedded into the project at an early stage because of pressure to complete the works to meet a particular deadline – namely the opening of the Highcross Centre, but there was also pressure to spend a particular budget within the 2005-2006 financial year.
- 4.32 The Review was also told that an access statement was not embedded in the project, and that while some of the issues which developed were addressed they were not embedded in a project-managed way.
- 4.33 Members noted that a minimalist approach to colour within the scheme has seen the introduction of “shades of grey” which for people with vision issues tended to cause navigation difficulties.

- 4.34 The introduction of “shiny poles” – reflective street furniture, signs and so on, caused further complications for people with vision issues.
- 4.35 But this approach to the design had been implemented on advice from consultants to the Council. The Council relied heavily on the consultants and...anticipated they had considered this issue but they didn't and it got missed, members were told.
- 4.36 A “lessons learnt” review of the project was being undertaken by the department but was not yet complete and therefore not available to the Task Group.
- 4.37 The review of developments relating to **star trak** reflect that improving and more accessible technology was allowing the authority to take some steps to introduce more access-friendly technology.
- 4.38 Members noted during the Review that the technology being developed could also help tourists find their way around the city by providing a range of language guides – an example of how one idea could have benefits and applications in another sphere.

## **5 DEPARTMENTAL COMMENTS**

- 5.1 There is provision for talking bus stops in the Local Transport Plan capital programme. Further funding will be provided by regional partners.
- 5.2 The outcome of the talking bus stop pilot project will be reported to OSMB, with a view to extending talking bus stops to other parts of the city.
- 5.3 Tenders for public realm works are implicit about the need for inclusive design. In house design work already considers the needs of all pedestrians and road users.

Jeff Miller:  
Regeneration, Highways & Transport Service Director  
0116 252 6380

- 5.4 There are some concerns relating to the following paragraphs:  
2.2: Weighting for decision making  
2.4: Quality review and improvement process  
2.6: Design and Access Statements  
2.7: Procurement processes.
- 5.5 In terms of the access statement (2.6) the following wording would be considered to be more helpful:

“Ensure that Inclusive Design is properly considered at all stages of City Council projects (from inception, through to hand-over and management), and develop an ‘Access Statement’ process to support and explain this. Promote this approach to non City Council developers, and encourage “Design and Access Statements” (required to support planning applications) to reflect this approach.”

- 5.6 We are confident that any issues in the interpretation of the wording in the other three recommendations referred to in 5.4 can be clarified in the Action Planning process to follow, which will define the scope of each of these priorities in more detail.
- 5.7 For example, the one relating to procurement processes will need to be focussed to ensure it does not create undue bureaucracy. There should also be scope for the Guidance Document and Access Statement Procedures to help clarify requirements relating to procurement, weighting and quality/ improvement processes.

Paul Leonard-Williams: Disabled Persons’ Access Officer  
Planning Police and Design Tel 0116 252 7290

## **6 FINANCIAL IMPLICATIONS**

- 6.1 The accuracy of budgeting for capital projects within the Council varies considerably. The accuracy depends upon the skills and expertise of the project manager, the complexity of the project and external pressures such as unreasonable time pressure to submit bids for external funding for these projects.
- 6.2 Project managers will need to ensure that they include the costs associated with inclusive design specifications in order that the project budget is accurate and therefore whether there are adequate funds in place.

Martin Judson, Head of Resources: Planning and Policy  
0116 252 7390

## **7 LEGAL IMPLICATIONS**

- 7.1 Any proposed changes brought about by the Council by this Task Group Review on access and design issues would need to comply with the relevant disability discrimination, planning, traffic and highway legislation.
- 7.2 If and when proposals are undertaken then legal services will provide the relevant advice depending on the nature of those proposals.

Jamie Guazzaroni; solicitor Legal Services, Environment &  
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## **APPENDICES**

### **APPENDIX 1**

#### **8 Inclusive Design Aims which all projects should adopt are:**

- 8.1 To make places and or products that everyone can use safely, easily and with dignity
- 8.2 To remove (and to not create) barriers that cause undue effort or separation
- 8.3 To enable everyone to participate equally, confidently and independently in everyday activities
- 8.4 To achieve these aims through a clear commitment to achieving best practice rather than minimum standards.

### **APPENDIX 2**

Minutes of meeting held on 23<sup>rd</sup> February 2009

#### **P R E S E N T :**

Councillor Russell – Task Group Leader Councillor Hall Councillor Palmer; Councillor Naylor

Also in attendance

Ian Bradwell Access Group  
Eric Day LCIL/IDAP

Dee Martin LCIL  
Sally Williams Leicester Disabled People's Access Group  
Officers Present  
Bharti Chauhan Planning Management and Delivery Group  
Jerry Connolly Members Support Officer  
Monica Glover Corporate Equalities  
Mike Keen Democratic Services Officer  
Paul Leonard-Williams Access Officer, Leicester City Council  
Barry Pritchard Regeneration, Highways and Transportation  
Dave Smith Building Control  
David Wright star trak, Leicester City Council

#### APOLOGIES FOR ABSENCE

Councillor Glover, John Hargrave, Colin Herridge; Andrew L. Smith.

### **9 TALKING BUS STOPS**

- 9.1 David Wright reported on progress on the installation of "talking bus stops" in the city to provide information for people with visual disabilities about when buses would be due.
- 9.2 Trials were planned within the next six months, based on the existing star trak real time information system. This followed work that had gone back two years and during which time technology had been reviewed.
- 9.3 It was found at the start of that period that the available technology would impose massive demands on staff to provide information to bus stops. It was decided to wait for more accessible technology and this has now been developed, based on GPRS (mobile phone) technology.
- 9.4 The cost to introduce this into the Leicester star trak system would be around £90,000. Derbyshire County Council had funded this because of their need to develop GPRS for their real time information system.
- 9.5 A programme of work has been scheduled for the 2009-2010 financial year and the system would be installed at a stop on Gedding Road, where the Resources Centre for the Blind is located. Discussions were taking place with First Leicester about the system that would be activated by a key fob.
- 9.6 Information displayed could include when the next bus is due, or when a series of buses, say over a thirty-minute period, might be due. Issues with star trak data had mainly centred on the way in which the bus operators had used the system and David said that he wanted to be sure that the information provided was more than a talking timetable.

- 9.7 David was asked whether the fob system would work on an actual bus, and whether different languages would be available on the system. David said he would investigate those issues.
- 9.8 He said he would make sure interested parties were kept informed on developments and progress on the project. Monthly reports to Paul Leonard-Williams were likely to be the best way of keeping interested user groups informed.

## **OUTLINE OF REVIEW AND PRESENTATION BY OFFICERS**

- 9.9 Councillor Russell outlined the highlights of the recent 'walk' undertaken in connection with the work of the Task Group and said that it was important that inclusive design was included within new-build projects.
- 9.10 Paul Leonard- Williams said this was now being included within the design work for several new projects being designed. Dee Martin said that it was not just about visual impairment, but was also about access generally and ensuring that all disabled and impaired people were catered for.

## **COLTON SQUARE**

- 9.11 Paul Leonard-Williams gave a presentation on the development at Colton Square and a more detailed presentation around the Inclusive Design and Development Process.
- 9.12 Paul said that the Colton Square process had started in 2004 with the acquisition of the site and preparation of proposals by potential developers. The process concluded in 2008 with the completion of the building and its occupation.
- 9.13 A number of design issues were highlighted; these centred on car parking, levels of access and entry point, steps, seats, visual contrast and accessible housing. In discussion on these issues it was questioned whether the lessons learned were fed back to the appropriate Members that sat on Planning and Development Control Committee and the Planning officers.
- 9.14 Councillor Palmer drew attention to the 'feature' steps at Colton Square and which were each some 450mm deep. It was said that these were meant as seating but serious concerns were expressed as they were considered a serious safety hazard.
- 9.15 It was generally felt that comments such as these around access, steps lifts etc. should not be being made in respect of new build projects. Officers said that some of the issues had occurred as a result of making space for underground car parking at the development.

- 9.16 Councillor Russell said that the message that this gave out was that, in the case of Colton Square, cars were more important than people.
- 9.17 Following further discussion it was said that in general compromises needed to be sought, an example being that people did not like alternatives that made them stand out, a lift for disabled people only, rather than a lift for everyone, was cited as an example.
- 9.18 Dee Martin said that with an ageing population people were now generally working longer and accessibility of buildings was becoming much more important. A list of buildings in the City that were not currently accessible would show the extent of the problems being talked about. Councillor Russell questioned how things could have been done better as a means of assessing the best way forward.
- 9.18.1 **Training** was cited as an example, and it was said that currently Members and Officers received Equalities training. Members who sat on Planning and Development Control Committee also received regular training, but not specifically around accessibility.
- 9.18.2 Planning Officers were also trained regularly and on issues learned from new developments.
- 9.19 It was said that feedback from the Disability Person's Access Officer was provided to help ensure that mistakes did not occur again in future developments, but this was not a formal process.
- 9.20 The following issues were highlighted:
- 9.20.1 Good equalities training is given to all Members sitting on Planning and Development Control Committee
- 9.20.2 All relevant officers are trained
- 9.20.3 Process for capturing mistakes identified

### **Accessibility**

- 9.21 Councillor Russell said that the issues around accessibility being discussed were issues in the widest sense and were about doing things differently, rather than improving expensive solutions, and was about making buildings more accessible for the widest possible range of people.
- 9.22 The following issues were highlighted: -

- 9.22.1 Level of questioning be identified around disabled access issues
- 9.22.2 Take issue of extra training on accessibility for Members to Members' Development Forum.
- 9.23 Councillor Palmer said that he felt that an opportunity to speak with developers would be of benefit as the designers of new buildings worked to a brief, problems identified were often cost related and a good designer would see issues such as those discussed at this meeting as a creative challenge.
- 9.24 It was agreed that arrangements be made to enable discussion to take place between representatives of this Task Group and a developer, or appropriate person, to emphasise the importance of tackling issues of accessibility at the beginning of the design process for buildings.

### **APPENDIX 3**

Minutes of the Meeting of the Access, Equalities and Regeneration theme of the Regeneration and Transport Task Group

Held: Monday, 30<sup>th</sup> March 2009 at 2.00pm at the BRITE CENTRE

**P R E S E N T**

Councillor Russell – Task Group Leader: Councillor Bhavsar; Councillor Hall

Also in attendance

Eric Day LCIL/IDAP; Ian Bradwell Access Group

Officers Present

John Bogumsky: Property Services

Monica Glover: Corporate Equalities

Mike Keen: Democratic Services Officer

Paul Leonard-Williams: Access Officer (Urban Design Team)

Pat Midson: DDA Officer

Dave Smith: Building Control

Apologies for absence from Councillors Byrne, Naylor and Palmer, Bharti Chauhan, Barry Pritchard (Regeneration and Culture) and Sally Williams

Councillor Russell declared a personal and non-prejudicial interest as her stepfather was a volunteer at the Leicestershire Centre for Integrated Living.

The minutes of the meeting of the task Group held on 23<sup>rd</sup> February 2009, as previously circulated to members were agreed as a correct record.

## **10 THE BRITE CENTRE**

10.1 Eric Day, LCIL, opened discussion by stating that in August 2006 he had visited The Brite Centre to assess its accessibility. A number of issues had been highlighted, including a 'Loop' system that did not work, no signs and issues around tactile strips.

10.2 There had also been an issue around guidance to the reception area by the partially sighted and the electric door switch on the outer door was identified as being located too low down on the door.

10.3 A tour of The Brite Centre took place and the following issues were highlighted: -

### **10.4 Exterior**

- 10.4.1 Random use of tactile paving/bollards
- 10.4.2 No colour contrast on bollards
- 10.4.3 Signs for the disabled parking spaces mounted too low
- 10.4.4 Staff cars parked in disabled parking bays
- 10.4.5 Red dots on exterior doors mounted too low
- 10.4.6 Exterior doors pegged back beyond 90 degrees
- 10.4.7 Manifestation on exterior door too low

### **10.5 Entrance**

- 10.5.1 Plant propping up security screen, entrance should be kept clear
- 10.5.2 Security screens inset from wall, could be dangerous

### **10.6 Interior**

- 10.6.1 Pillar to right of entrance should have contrast banding applied
- 10.6.2 No colour contrast leading to the Reception area
- 10.6.3 Office behind Reception – blinds should be kept closed to prevent light reflection to aid lip readers
- 10.6.4 Colour contrast to floor in café area should have been used to guide people across to the reception area
- 10.6.5 Issues around type of seating utilised in main hall

- 10.6.6 Single height booking system in Library – lack of colour contrast and danger that partially sighted person with a short cane could walk into the protruding shelf of the unit.
- 10.6.7 Accessible Toilets – only a standard light switch fitted.
- 10.6.8 Accessible Toilets – issues around positioning of portable bins by exterior cleansing company in area designed for wheelchair
- 10.6.9 Large Conference Room – issues around lack of colour contrast between floor and partition
- 10.6.10 Large/ Small Conference Room – concern around when both rooms in use together and partitions closed and when access and egress is via doors in the partition
- 10.6.11 Sound leakage between two Conference Rooms.
- 10.6.12 Issues around the siting of the door release button to Large Conference Room if the Security Door is in use – the switch is located around the side of the door pillar
- 10.7 The meeting re-convened and discussion took place on the issues highlighted (in 10.3).
- 10.8 Councillor Russell said that it was clear that since the initial inspections had been carried out after the building had opened certain issues had been resolved, and some were being worked on.
- 10.9 A number of issues had however been identified during the walk. The City Council, it was stressed, had a role to ensure that its buildings met the highest accessibility standards, although it was accepted that certain features would have met legislative requirements at the time the building was designed.
- 10.10 John Bogumsky, representing the Design Team for The Brite Centre said that initial discussions had taken place between the Braunstone Community Association, the City Council and City Libraries to identify the optimum building for a range of anticipated uses, and to ensure that the building was constructed within a set budget.
- 10.11 By working within the various rules and regulations in force at the time consideration had been given to various religious and social requirements together with full accessibility for the disabled.

- 10.12 Pat Midson (Disability Discrimination Act Officer) said that he had not been heavily involved during the design stage of The Brite Centre but that he had assessed the completed building as part of his previous role of Access Officer.
- 10.13 Pat said that in his current role he was involved at the earlier stages of design and development and that he now actively liaised with architects and designers to ensure that requirements for access were fully met.
- 10.14 Pat said that several years previously he had been involved in producing City Council guidance that went beyond the basic guidance contained in the national 'Paving the Way' standards, but Building Control were not able to enforce it. Should funding become available this previously prepared document could be brought up to date.
- 10.15 Councillor Russell said that, particularly around City Council projects, the ideal would be to see standards imposed that went beyond basic requirements.
- 10.16 Paul Leonard-Williams said that an alternative would be to adopt Supplementary Planning Guidance that could then be used as informal guidance and applicants encouraged to follow it.
- 10.17 Councillor Russell questioned where IDAP fitted into the whole process and it was said that there was no specific requirement to involve them, although it had been found useful, in recent schemes to involve IDAP in several projects.
- 10.18 It was said that there was now a requirement for developers to provide an Access Statement for all new developments, this statement was handed over to the Management of the building on handover to help guide the future use of the building.
- 10.19 It was further suggested that the Access Statement in respect of the recent Streets and Spaces project be brought to the respective Task Group meeting to enable the Task Group to see how an Access Statement is used and how issues were balanced.
- 10.20 Discussion took place around the possibility of dual standards being applied to new buildings as it was said, for example, that Design and Build projects (Building Schools for the Future) were designed to a basic requirement to pass Building Control inspection.
- 10.21 Councillor Russell said that often cost was the overriding factor, and that she did not want to see dual standards applied. BSF was a separate issue that maybe the Children and Young Person's Task Group could look at it in greater detail. Councillor Russell

further said that the adequate application of accessibility standards within buildings was left to respective facilities managers and the people working within the buildings.

10.22 Councillor Hall said that it was apparent that there needed to be a consistent approach to Access requirements as part of the Planning process and questioned the need for Planning Policy being in place around Access arrangements.

10.23 Paul Leonard-Williams said that guidance was required to be available widely and BS 8300 (2009) was the nationally accepted Best Practice Guidance but cost £240 to purchase. Aspects of best practice could however be incorporated into Planning Guidance.

10.24 In concluding it was said that:

10.24.1 it would be useful if funding could be identified to update and produce the Council's previous version of the 'Paving the Way' document that was set out in an easy to understand language.

10.24.2 a clearer explanation of what Accessibility and Inclusivity actually meant would be useful for officers and members. Monica Glover said that she would work on producing guidance.

10.24.3 work on producing appropriate Planning Guidance would be prepared before the next meeting.

#### **APPENDIX 4**

Minutes of the Meeting of the Access, equality and Regeneration Issues theme of the Regeneration and Transport Task Group

Monday, 27 APRIL 2009 at 2.30pm

#### **P R E S E N T :**

Councillor Russell – Task Group Leader\_Councillor Bhavsar Councillor Palmer; Councillor Naylor.

#### **Officers in Attendance**

Maurice Brice	Property Projects Group
Jerry Connolly	Members Support Officer
Mike Keen	Democratic Services Officer

Paul Leonard-Williams      Disabled People's Access Officer

Barry Pritchard      Project Manager – City Centre  
Development

Chryse Tinsley      Urban Design

Sally Williams      LDPAG

Apologies were received from Councillor Glover, Ian Bradwell and Dave Smith (Building Control).

Councillor Russell disclosed a personal and non-prejudicial interest in the business to be discussed as her stepfather was a volunteer at the Leicestershire Centre for Integrated Living.

The minutes of the meeting of the Task Group held on 20<sup>th</sup> April 2009, as previously circulated to members were agreed as a correct record.

## **11      STREETS AND SPACES**

- 11.1 Barry Pritchard, Project Manager, City Centre Development introduced this topic and said that it had been a £20 - £25 million scheme to undertake works in and around the retail area of the City and around the Cultural Quarter. One of the main aims of the scheme had been to separate vehicles and pedestrians, particularly in the High Street, around the Clock Tower and The Curve, and to create a more pleasant area and a walking environment that was inclusive.
- 11.2 Councillor Russell asked whether an Access Statement for this scheme had been prepared. Barry said that a Statement had been produced, albeit part way through the project but timed so that the rest of the City Centre could compete with The Highcross Centre when it opened.
- 11.3 The timing meant that work had to start almost as soon as the project had been approved. Paul said that it is usual for Access Statements to relate to buildings, but in this particular case it related to the Public Realm (Streets). Paul further said that his main concern around the Access Statement was that there was no process in place for taking certain issues forward and it was felt that in future there was a need to instigate Access Statements at the beginning of projects.
- 11.4 Councillor Bhavsar questioned what the problems and drawbacks had been. Paul said that issues around shared use for cyclists and pedestrians had been problematic and the fact that a number of businesses had access with vehicles to the pedestrianised area all day, this causes problems for disabled/partially sighted.

- 11.5 It was also said that banding on the shiny poles had not been included in the project although it was strongly felt that shiny poles should not have been utilised in the first place.
- 11.6 Barry said that these were issues that should have been identified earlier in the process and that the Access Group should be involved at a very early stage. With hindsight it was accepted that the scheme had been too ambitious in the timescale allowed.
- 11.7 Councillor Russell questioned what had been learned from the Street Scene project to make future projects better.
  - 11.7.1 Aesthetics and Visibility
  - 11.7.2 Setting priorities and keeping sight of overall aim
  - 11.7.3 High Street better than Gallowtree Gate – street furniture and trees are in one central area along the street
- 11.8 Concerns around 'A' boards and street cafes along side of street for partially sighted people – it was agreed that input from Licensing officers was required on this issue
- 11.9 Barry said that a process was in place whereby elements of good practice could be incorporated into future designs. The Street Scape scheme was the first whereby information gathered was recorded for future schemes.
- 11.10 Councillor Russell in summing up highlighted the following issues to be taken forward: -
  - 11.10.1 Tender Process – understanding around the inclusive design process
  - 11.10.2 Access Statement – at the beginning of the process. A living document. Initial aims of the project not to be missed
  - 11.10.3 A' Boards - issues around these and of Street Cafes
  - 11.10.4 Review of Project and lesson learned
  - 11.10.5 Information
  - 11.10.6 Training issues
  - 11.10.7 Wheelchair to be available for officers/members to assess works being carried out.

## **APPENDIX 5**

## 12.1 Supplementary Planning Guidance: Wigan Council

- 12.1.1 The supplementary guidance, *Access for All*, was introduced by Wigan Council in 2006. It was constructed from a clean sheet start - with a vision of how it should be rather than referring to other examples from other authorities.
- 12.1.2 It has substantially remained in its original form. Officers are considering making slight amendments to some aspects of design advice, notably swing gates in rural settings. Otherwise it remains robust and relevant.
- 12.1.3 The Council has found it to be very useful by providing clear guidance and advice to those bringing forward developments and officers considering those applications.
- 12.1.4 Where there has been a planning appeal, the SPG has proved helpful in putting the case to the Inspector.
- 12.1.5 It has to be applied with a degree caution on projects which are not new-build - refurbishments, for example - because these schemes have a more historic planning/building control framework. Professional judgements by planners are required in such cases.
- 12.1.6 The SPG contains two major elements - detailed advice accompanied by more general design guidance.
- 12.1.7 A link to the SPG is as follows:  
<http://www.wigan.gov.uk/Services/Planning/Policies/DevelopmentFramework/AccessForAll.htm>
- 12.1.8 See also The Planning Inspectorate Annual Report for 2008-2009; section 5.15:

*“we have analysed a random sample of 30 cases decided in 2008/09 that involved design as an issue. This considered the quality of the evidence produced by the parties and the main parties’ views on the approach to the design issue taken by the Inspector.*

*“The analysis of this limited sample found that high quality Design and Access Statements are critical to ensuring that Inspectors can properly understand the design context.”*

<http://www.info4local.gov.uk/documents/publications/1282393>

## APPENDIX 6

### **13.1 Links to recently published Government guidance on access policy, strategy and practice.**

#### [The Department of Communities and Local Government](#)

All other Secretary of State reports:

- [The Department for Children, Schools and Families](#)
- [The Department of Culture, Media and Sport](#)
- [The Department of Health](#)
- [The Home Office](#)
- [The Department for Innovation, Universities and Skills](#)
- [The Ministry of Justice](#)
- [The Department for Work and Pensions](#)

The Government published the Equality Bill  
([http://www.equalities.gov.uk/equality\\_bill.aspx](http://www.equalities.gov.uk/equality_bill.aspx))

in April 2009. An overarching document taking in a wide range of issues, it puts a duty on local authorities (and their partners in the health and police forces) to improve access for people with disabilities).

The Planning Advisory Service  
(<http://www.pas.gov.uk/pas/core/page.do?pagelid=1>) has published guidance on integrating access issues into general planning practice: “Equality and Diversity – improving planning outcomes for the whole of the community.”