

**TAUNTON DEANE BOROUGH COUNCIL**

**EXECUTIVE – 20 OCTOBER 2004**

**REPORT OF THE CHIEF ARCHITECT**

**DISABILITY DISCRIMINATION ACT 1995 - STRATEGY**

**This matter is the responsibility of Executive Councillor Mrs Lewin- Harris**

**EXECUTIVE SUMMARY**

The Disability Discrimination Act (DDA) 1995 was introduced to prevent discrimination against disabled people. It is based on the principle that disabled people should not be treated less favourably, simply because of their disability, by those providing goods, facilities or services to the public or by those selling, letting or managing property.

The Act has been added to at various times since 1995. Since then, the council have introduced measures dependent on available finances and what was considered “reasonable”. It should be noted that the Act states (Section 21(4)) “it is the duty of the provider of that service to take such steps as it is reasonable, in all circumstances of the case, for him to have taken in order to provide that auxiliary aid or service.”

This report outlines the strategy the Council will now adopt to achieve compliance with the Act. It will also update Members as to as to decisions already made by the Council with regard to disability issues and how they relate to the Equality Policy and the Equality Improvement Plan 2003 – 2006.

**1) INTRODUCTION**

- 1.1) On 8<sup>th</sup> November 1995 Parliament passed the Disability Discrimination Act. . The Act was not specific in detail with many of its provisions subject to consultation. Since 1995 there has been a phased introduction of many requirements following Parliamentary approval.
- 1.2) On 9<sup>th</sup> May 2001 Parliament made the ninth commencement order. This order brings into force on 1<sup>st</sup> October 2004, section 21(2) of the Act. This requires” the provider of a service” to take such steps as are reasonable to remove, alter or adjust a physical feature present in a building from which those services are delivered which makes it impossible or unreasonably difficult for disabled persons to make use of that service. This is taken to mean that the provider of a service must at least have plans and a strategy by that date.
- 1.3) Since 1995 all refurbishment/alteration work to council properties complies with the relevant part of the DDA as known at the time and Part M of the Building Regulations. This part of the Building Regulations “Approved Document” relates to “Access and facilities for disabled people” (1999 edition) and” Access to and use of buildings”(2004 amendment).

1.4) The Council has also been pro-active on disability issues not necessarily covered by the Act. For example, the Equality Policy and the Equality Improvement Plan 2003 – 2006.

1.5) Relevant sections relating to disability issues of the Equality Policy are as follows:-

- “promoting equality of opportunity we will oppose all forms of discrimination, whether on grounds of disability....” etc;
- “continuously improve our services to ensure that they are accessible and provided fairly in our community”;
- “Take action to identify groups in Taunton Deane with specific needs and requirements in accessing our services”.

1.6)

Relevant sections of the Equality Improvement Plan relating to disability issues are as follows:-	
<b>Objective in Equalities Improvement Plan</b>	<b>Progress</b>
Develop use of Somerset Total Communications (STC) symbols throughout Council owned/used buildings and in literature.	The use of STC symbols is progressing.
“Improve signage to Deane House in the locality.	Improvements to signage are planned for 2004/2005.
Purchase a mobile hearing loop for use in TDBC offices and in meetings outside of Deane House.	A mobile hearing loop has been purchased.
Carry out a programme of access audits of Council owned/used buildings in consultation with user groups.	An audit of the council’s properties together with proposals for actions is being undertaken by Ed Norton, Principal Building Control Surveyor with advice from Helen Allen NRAC (National Register of Access Consultants )of HADA ( Helen Allen Design and Access).
Prepare a costed scheme of access improvements informed by audit outcomes. Scheme to be incorporated within TDBC as a management plan and consulted upon with local interest groups.	Approximate costings have been produced of some of the works required to meet the DDA Act. See Appendix B.
“Access improvements/responsibilities (to be assigned to individual officers”.	Ongoing.
“Produce a guide for all TDBC services setting standards and giving practical advice for staff to ensure services are accessible to minority groups”.	A guide for all TDBC services is currently being produced.

1.7) On 21 September 2004 the DDA Strategy was considered by the Community Leadership Review Panel who supported the Strategy and recommended that

the Executive supports the strategy and that it is adopted by Council on 14 December 2004.

## **2) ACHIEVEMENTS TO DATE**

- 2.1) As stated in 1.3 where new refurbishment work has been undertaken this has had to comply with the relevant Building Regulations and the opportunity taken to include elements of work to ensure compliance with the Act. The new lift at Wellington Sports Centre and the speech facility in the Deane House lift are examples.
- 2.2) Items in 1.5 are ongoing. Clearly the Council is promoting equality of opportunity, it is continuing to improve services and has taken action to identify groups with specific needs.

## **3) STRATEGY FOR THE FUTURE**

This includes work to all Council owned property excluding housing and leasehold property where the terms of the lease place the responsibility for DDA action on the leaseholder. It also includes a strengthened focus on overcoming any non-physical barriers disabled people may face in gaining access to Council information and services.

- 3.1) Briefly a twin track approach is proposed. On the one hand ensuring that the most used by the general public Corporate buildings are upgraded first (dependent on finance) to the appropriate standard and on the other hand achieving “quick fix”, relatively cheap, measures that affect the wider population. An example of this could be the provision of dedicated car parking spaces in accordance with the current British Standard guidelines.
- Appendix A shows those properties that the council own or have a responsibility to ensure compliance with the DDA and Council’s Equality Improvement Plan. They are listed in priority order. Work will be arranged to follow this order.
  - Appendix B shows preliminary costs for the Council’s major buildings only.
  - Appendix C shows quick fix items.
  - Appendix D shows “Housing Revenue Account” properties that the Council are responsible for in ensuring compliance with the DDA.
- 3.2) Responsibilities. As mentioned in 2,3 above the Council has appointed Ed Norton as the Access Officer and responsible for disability audits. He has produced and is producing “Access Audits” and “Action Plans” for the Council’s properties. These are documents which he considers reasonable and in compliance with the DDA. The action plans will form the brief as to what actions will be undertaken – and nothing else.

Members should be aware that unless a disciplined approach is taken every individual will have their own opinion as to what is or is not reasonable. If this situation is allowed there will be no end to the money required.

## **4) ASSESSMENT CRITERIA**

The criteria to be used in assessing the priority order/work to be undertaken will be as follows:-

- 4.1) Available finance. For 2004/2005 there is a budget of £100,000 plus £11,000 as a carry over from 2003/2004. This is insufficient to undertake all desirable work. The Executive has already been informed that a sum of £413.050 has been included in the unavoidable commitments pro-forma for 2005/2006 with additional monies required in future years. The necessary Project Approval Report (PAR) will be submitted at the appropriate time in the budget setting process.
- 4.2) Only those properties where this Authority has a duty to ensure compliance with the Act will be included in the proposed work.
- 4.3) With regard to the Council's Corporate Priority regarding the Vision for Taunton, those properties likely to be affected will be dealt with appropriately. If they are to remain as part of the overall scheme they will be suitably enhanced. If they are likely to go, then the minimum work will be undertaken. The Councils Asset Management Group ensure that DDA matters and asset management are viewed together.
- 4.4) Work required to Meeting Halls/shops and any other "housing" properties within the "Housing Revenue Account" will be financed from that account and not from the General Fund since the Council still has a duty to ensure compliance with the Act as far as some housing properties are concerned. Disability audits and action plans have been and are being undertaken.
- 4.5) The DDA also covers non-physical barriers a disabled person may face in accessing Council information and services, for example documents in a type face too small for a blind or visually impaired person to read. Every service of the Council will review its activities and identify any such barriers which need to be overcome. Action plans will feature within all Head of Service Plans from 2005, in a process overseen by the Corporate Equality and Diversity Group.

## **5) CONCLUSION**

- 5.1) There is a considerable amount of work that needs to be done to ensure compliance with the Act and the Council's Equality Policy/Equality Improvement Plan.
- 5.2) Work is likely to cost more money than is currently available. If this is the case in future years there will be requests for additional finance.

## **6) RECOMMENDATION**

- 6.1) The Executive is recommended to support the Disability and Discrimination Act Strategy for Taunton Deane and that it is formally adopted by Council.

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## Appendix A

### **TDBC OWNED PROPERTIES AND THOSE PROPERTIES TDBC HAVE A RESPONSIBILITY TO ENSURE COMPLIANCE WITH DDA 1995**

The Council's major buildings listed in priority work order: -

- Deane House. The Council's most important building. Some DDA work cannot be undertaken until the future of Customer Services is known.
- Crematorium, Taunton DDA - extension of waiting room, toilets, ramps etc are programmed for this year. The building should then comply with DDA.
- Wellington Sports Centre (Tone Leisure)
- Vivary Golf Course (Pro shop/pay kiosk only)
- Blackbrook Leisure Centre (Tone Leisure)
- Wellsprings Centre (Tone Leisure). Although a new building there may be some issues still outstanding. By December all issues should be resolved.
- Kilkenny Court, Taunton (Call Centre)
- Market House, Taunton
- St James Street Swimming Pool, Taunton (Tone Leisure)
- Station Road Pool, Taunton (Tone Leisure)
- Flook House, Taunton.
- DLO Depot, Priory Way Taunton
- Community Offices, 28/30 Fore Street, Wellington. Since the first floor council chamber would appear to be completely unsatisfactory with little possibility of improvement it may be that the building ought to be disposed of.
- Old Municipal Building, Taunton. This building has major maintenance and fire safety issues as well as compliance with the DDA. It's future is the subject of a report to be presented this autumn.
- Nursery, Mount Street, Taunton.

Properties/rooms/offices etc leased by TDBC but which TDBC are responsible to ensure compliance with the Act:-

#### Estate Ref

65	Market Building 19
65	Market Building 34/35
65	Market Building 2
65	Market Building 1
65	Market Building 17
65	Market Building 16
65	Market Building 28
	All market buildings are TDBC's responsibility. Buildings are likely to be demolished within the next three years.
378	Office 3 Blackbrook Tennis Centre
153	Pavilion Vivary Park – Miniature railway and Bandstand
75	Market House - Age Concern
349	28 Fore Street Wellington - 1st Floor Offices
04	Old Municipal Building - Room A
04	Old Municipal Building - Room C

75	Market House - Part 1 <sup>st</sup> and 2 <sup>nd</sup> floors.
75	Market House - 1 <sup>st</sup> floor offices
53	Blackdown Business Park, Wellington - Unit 2.
68	Flook House - Registrars Office
04	Old Municipal Building - Room 7.
04	Old Municipal Building - Rooms 3,4,5,6,10,11, and 12
04	Old Municipal Building - Room 8
04	Old Municipal Building - Room 9
349	28 Fore Street. Wellington - Former cash office and First Floor Offices
04	Old Municipal Building - Room B 2 <sup>nd</sup> Floor
04	Old Municipal Building - Room 2
349	28 Fore Street, Wellington - First Floor Offices.
15	The Gazebo, Wellington - Longforth Road Car Park/ Wellington Park Bandstand.

#### Public conveniences - Properties owned by TDBC

Canal Road	(Disabled facilities already provided)
Canon Street	“ “ “ “
Castle Green Gents	“ “ “ “
Castle Green Ladies	“ “ “ “
Eastwick Road	(Currently closed – future pending)
French Weir	(Disabled facilities already provided)
Goodland Gardens	“ “ “ “
Hamilton Road	(Currently closed – future pending)
High Street	(Disabled facilities already provided)
Kingston Road	(Currently closed - future pending)
Paul Street (multi storey)	(Disabled facilities already provided)
Priory Bridge Road	“ “ “ “
Station Road	“ “ “ “
Tancred Street	“ “ “ “
Taunton Bus Station	“ “ “ “
Taunton Green Park	(Currently closed – future pending)
Victoria Park	(Disabled facilities already provided)
Vivary Park	“ “ “ “
Wilton Lands (Fons George)	“ “ “ “ “ “
Longforth Road	“ “ “ “
North Street Wellington	(To be refurbished 2004 – 2005)
Rockwell Green (Oaken Ground)	(Disabled facilities already provided)
Wellington Park	“ “ “ “
Creedwell Orchard	(No disabled facilities. Impossible to provide suitable facilities due to lack of space)
Mount Street Bishops Lydeard	(Disabled facilities already provided)
North Street, Wiveliscombe	“ “ “ “
Recreation Ground Milverton	(No disabled facilities. Impossible to provide due to lack of space )
West Somerset Railway, Bishops Lydeard	(Disabled facilities already provided).

#### Leisure Pavilions

- Dobree Park, Rockwell Green. This is a new building so should comply with much DDA legislation
- Wellington Playing Field
- Wellington Recreation Ground
- Galmington
- Taunton Green
- Priorswood (Cleeve Road)
- Hamilton Gault
- Victoria Park
- Cotford St Luke (There is no lease at present, therefore whether TDBC has a duty to provide additional facilities if needed is unclear)

#### Car Parks - General Fund financed

Whirligig Lane  
 Castle Green  
 Fons George  
 Belvedere Road  
 Kilkenny  
 Coal Orchard  
 Tangier (A)  
 Enfield (B)  
 Crescent (North and South)  
 Canon Street  
 Castle Street  
 Victoria Gate  
 Greenbrook Terrace  
 Duke Street  
 Wood Street  
 Priory Bridge Road  
 Elms Parade  
 Old Market Shoppers Multi Storey (Paul Street) Taunton  
 High Street/Mary Street  
 Station Road, Bishops Lydeard  
 Creedwell Orchard, Milverton  
 South Street (Bulford), Wellington  
 Longforth Road, Wellington  
 North Street, Wellington  
 Springfield, Wellington  
 Croft Way, Wiveliscombe  
 Fore Street, Milverton  
 North Street, Wiveliscombe.

## Appendix B

### THE DISABILITY DISCRIMINATION ACT - PRELIMINARY COSTS FOR THE COUNCILS MAJOR PROPERTIES

<b>Property</b>	<b>Cost £</b>
DLO Depot	59,700
Flook House	55,200
Market House	53,000
Kilkenny Court	61,150
Deane House	47,800
St. James Street Swimming Pool	71,200
Community Office, Fore Street, Wellington	62,300
Wellington Sports Centre	45,900
Vivary Golf Club	18,600
Old Municipal Building	82,300
Blackbrook Leisure Centre	15,600
<b>Total</b>	<b>£513,050</b>



## Appendix C

### THE DISABILITY DISCRIMINATION ACT - “ QUICK FIX” ITEMS

1) Disabled parking. The British Standard for the provision of designated parking spaces (BS 8300:2001) now advises a different configuration and an increase in bay size. The price to provide both the symbol, markings and lines in yellow is £60 per bay with an additional charge of £25 per bay if there is line removal.

It is proposed that the following work is undertaken in the following order:-

The Deane House (connected to TDBC buildings)  
Flook House “ “ “ “  
Blackbrook Leisure Centre  
Old Municipal Building

#### Car Parks

Castle Green  
Whirligig  
South Street, Wellington  
Cannon Street  
Coal Orchard  
Old Market Shoppers, multi storey in Paul Street  
Crescent car parks  
Longforth Road, Wellington  
High Street  
Belvedere Road  
Wood Street  
North Street, Wellington  
Fons George  
Victoria Gate  
Kilkenny  
Castle Street  
Priory Bridge Road  
Croft Way, Wiveliscombe  
Greenbrook Terrace  
Elms Parade  
Duke Street  
Fore Street, Milverton  
Enfield  
Tangier  
Northgate, Wiveliscombe. (Parish Council objected when one was provided – it was subsequently removed)  
Springfield  
Bishops Lydeard. (It is suggested that this car park be deleted – it does not have a metalled surface)

- 2) Clear signage inside and outside of TDBC buildings.
- 3) Voice activation on all TDBC lifts. Approx cost £1500 - £1700 per lift car.  
The Deane House – already provided.

Kilkenny Court (to be funded by “Housing”. 4 No. lifts.)  
Paul Street Car Park (3 lifts)  
Station Road Swimming Pool (1 lift)  
Wellington Sports Centre (1 lift)  
Wellsprings (1 lift)

- 4) Lighting and decoration to Deane House reception including revising reception desk, seating and general clutter.
- 5) Ramps to shops the responsibility of TDBC.
- 6) Amending inappropriate staircase handrails and door furniture (and closers).
- 7) Providing up – to – date alarm buttons and cords in Accessible w.c’s.
- 8) Amending wall colours in Accessible w.c’s .so that rails and sanitary ware are easily distinguishable.
- 9) Repositioning switches and sockets.

## Appendix D

### **TDBC “HOUSING” OWNED PROPERTIES WHERE TDBC HAVE A RESPONSIBILITY TO COMPLY WITH DDA 1995**

#### Ref

- 35 No 20 Howard Road, Wellington
- 10 No 15 Bacon Drive, Taunton
- 82 119 119A Outer Circle, Taunton
- 67 Hairdressing Salon, 14 Churchill Way, Taunton
- 82 Ground Floor, 106 Roman Road, Taunton
- 98 Garage, 13 Priorswood Place, Taunton
- 120 Apple Tree Stores, 107 Laxton Road, Taunton
- 98 Garage 3, Priorswood Place, Taunton
- 82 1<sup>st</sup> Floor Flat, 106A Roman Road, Taunton
- 35. No 18 Howard Road, Wellington
- 82 110 Roman Road and 1 Inner Circle, Halcon, Taunton
- 114 Lock up Shop Plain Pond, Wiveliscombe
- 82 121 Outer Circle, Halcon, Taunton
- 82 123 and 123A Outer Circle, Halcon Taunton.

#### **MEETING HALLS**

- Bulford, Wellington (and guest room)
- Creedwell Orchard, Milverton
- Darby Way, Bishops Lydeard (and guest room)
- Heathfield Drive, Monkton Heathfield (and guest room)
- Hope Corner Lane, Taunton (and guest room)
- Lodge Close, Wellington (and guest room)
- Monmouth Road, Taunton
- Moorland Place, Taunton
- Middleway, (Churchill Way) Taunton (and guest room)
- Newton Road, Taunton (and guest room)
- Parmin Close, Taunton (and guest room)
- Robin Close, Bishops Hull
- Taunfield Close, Taunton (and guest room)
- Wellesley Street, Taunton
- Holyoak Street, Wellington (and guest room)
- Broomfield House, Wellsprings Road, Taunton
- Kilkenny Court, Taunton (and guest room)

