

CENTRAL SERVICES CABINET MEMBER MEETING

Agenda Item 12
Brighton & Hove City Council

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|-------------------------|--|--|---------------------|
| Subject: | Disability Discrimination Act – update on programme of works to Council owned buildings | | |
| Date of Meeting: | 29 June 2009 | | |
| Report of: | Assistant Director – Property & Design | | |
| Contact Officer: | Name: | Angela Dymott, Assistant Director - Property & Design | Tel: 29 1450 |
| | | Lesley Hughes, Technical Access Manager | 29 1444 |
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| Key Decision: | No | | |
| Wards Affected: | All | | |

FOR GENERAL RELEASE

1 SUMMARY AND POLICY CONTEXT:

An annual report giving an update on the corporate programme of rolling access improvement works being carried out under the Disability Discrimination Act 1995 requirements.

2. RECOMMENDATIONS:

- 2.1 Central Services Cabinet Member Meeting note the progress of access works being undertaken corporately - in a target driven rolling programme - to properties owned or leased by BHCC from which the council provides a service, helping the council to meet their duties under the Disability Discrimination Act. The target for 2008/09 of 70% of council buildings open to the public in which access for disabled people to public areas/services is improved was achieved.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1.0 Part 3 of the Disability Discrimination Act 1995 (DDA) requires service providers to remove or alter physical barriers, including visual and auditory, which make it impossible or unreasonably difficult for members of the public to access services. This part of the Act came into force on 1st October 2004.
- 3.1.1 Since 2004 the council has a prioritised rolling programme of works informed by access audits. 376 areas of council buildings accessible to the public have been audited for access and professional assessments made of what can reasonably be done to improve access and determine priorities for a programme of removal of physical and sensory barriers.

3.1.2 Our approach has been to prioritise access improvements to our main buildings with public access and to concentrate on our major public buildings that have a large footfall and the greatest service need. Main DDA improvements works have been undertaken to our Town Halls, main office buildings, the Brighton Centre, the Royal Pavilion, Preston Manor, Booth museum, Hove and Hangleton libraries, Withdean stadium and sports centre, Prince Regent and St Lukes swimming pools, the Leisure Centres, Woodvale, Denmark Villas, Fostering & Adoption and Child Protection Unit - Preston Road, Carden Hill, Children's Disability service and Chimneys Family Centre.

In 2007 we appointed a dedicated Technical Access Manager and the post focuses on the DDA and the capital programme. This has enabled a fresh approach where we have looked at a range of access solutions that have proved more cost effective and delivered our performance indicator target well within existing budgets allowing more DDA improvements to be carried out.

3.1.3 In summary, the access audit reports are held on a DDA database and have also been issued to senior officers of each department to enable them to strategically plan for the implementation of the report recommendations. Each property is given an overall rating of 1 to 4 by the audit, with those being graded 3 and 4 considered the least accessible. The recommendations of each report are prioritized A, B, C, or D. The reports enable departments and building managers to assess the options and to put the recommendations into practice by developing alternative working arrangements or service deliveries and prioritise programmes of remedial works and alterations. It could mean that some service arrangements will have to change, it could be that certain infrastructure works are required or that staff will need to work in a different way.

3.1.4 Yearly lists of buildings to be improved are selected by the Technical Access Manager from the following general criteria :

- Identifying Key Performance Indicator (KPI) buildings graded as either '4' (non-compliant with BS8300/Approved Document M) or '3' (compliant with BS8300/Approved Document M with major works) from the DDA Database.
- Identifying 'need' through discussion with the client – i.e. quantity of visitors/members of the public accessing the service, type of service-user who will benefit - as in the case of day-centres for disabled adults or community buildings used by disabled groups.
- Ensuring that the business case for undertaking the work is commensurate to the service need and requirement.
- Selecting non-KPI buildings where nevertheless access to services for disabled people is being significantly undermined, as identified by members of the public, client contact or site visit.

3.2 Financial implications

3.2.0 A capital fund of £500k was allocated in 2007/08 and due to some alternative and cost effective solutions not all of the allocated funds were spent by the end of the financial year, however the BVPI target for 2007/08 of 65% of council buildings open to the public in which access for disabled people to public areas/services is improved was achieved. In 2008/09 £165,000 was allocated from the Asset Management Fund.

- 3.2.1 All but £120,000 (which includes £70,000 earmarked as a contribution towards match funding for Sport England funding for improvement at St Lukes Swimming Pool) of the allocated funds was spent by the end of the financial year and the BVPI target for 2008/09 of 70% of council buildings open to the public in which access for disabled people to public areas/services is improved was achieved.
- 3.2.2 Before going to tender detailed site visits were made by the Technical Access Manager and the contract administrator and the original DDA audit recommendations were thoroughly re-examined with extensive consultation with the appropriate clients, to ensure their relevance and effectiveness. This has resulted in potential savings in some areas, either by omitting unnecessary work, or exploring alternative methods of accessing the service. Elsewhere 'new' or additional adjustments have been put place.
- 3.2.3 The rolling nature of the DDA programme means that projects and funding will be carried over into 2009/10 to ensure that the required access adjustments are made to services and infrastructure and that the target for 2009/10 is met. This year 2009/10 the DDA improvements will be funded by a £165,000 allocation from the Asset Management Fund, which has been created to join up expenditure on a range of properties covering DDA responsibilities, fire safety, other health & safety and general improvements. This will be supplemented by the £60,000 reprofiled and £58,660 slippage from 2008/09, the total DDA budget for 2009/2010 will be £283,660.

3.3 Programme update

3.3.0 Access improvements 2008/09

The following list of completed improvements includes Access Works listed as 'expected to be complete', 'tendered' and 'proposed' in last year's report (plus other additional sites) Properties from last year's report which are not listed have either been carried forward into the next phase of works, or have changed their method of service delivery or function.

Adult Social Care and Housing

- Wellington House Day Centre: new internal platform lift, improvements to access from car-park including new external ramp, improvements to main entrance.
- Montague House Day Centre: new entrance doors.
- Wayfield Avenue Day Centre: Improved entrance ramps.
- Albany View Day Centre (Connaught Centre): New handrails and nosing to main stair, solar reflective film to windows (through discussion with the client it became apparent that solar gain can exacerbate conditions for the service-users, who are adults with challenging behaviour) and improvements to fire exit.

Environment

- Moulsecoomb Community Leisure Centre: (additional provision) refurbishment of existing lift, provision of alarms to accessible WC and shower dropped kerb to fire external fire exit route.
- Stanley Deason Leisure Centre: (additional provision) two accessible parking bays adjacent to external lift.
- Manor Road Gym: accessible WC and shower, accessible alternative entrance, automated doors and external stair nosings.
- Waterhall Golf Course Club House: new accessible parking and approach to main entrance, new internal platform lift and accessible WC.
- Prince Regent: (additional provision) swimming pool access steps.
- Wild Park: ramped access to pavilion.

Culture and Enterprise

- Hangleton Library: Lift, stair nosings.
- Preston Manor: Lift, tactile signage.
- Hollingbury Library: New ramp and improvements to entrance steps, automatic opener to entrance doors, new external lighting, and new accessible unisex WC.
- The Grange Library, Rottingdean: improvements to approach and entrances, new reception counter (with lowered section for wheelchair users) and new signage.
- Royal Pavilion Shop: new internal ramp.

CYPT

- Woodingdean Youth Centre: Improvements to external ramps and steps, upgrade of entrance and accessible WC, installation of induction loop to Main Hall.
- South Portslade Children's Centre: improved disabled access from public footpath.

Finance & Resources – Corporate Buildings

- Portslade Town Hall: Improvements to fire exit, portable infra-red hearing enhancement system.
- Hove Town Hall: New tactile signage and automatic opener to Committee Room doors, Improved lighting to entrance canopy, portable infra-red hearing enhancement system.
- King's House: ground floor accessible meeting room and new wheelchair accessible WC, portable infra-red hearing enhancement system.
- New England House: Lift upgrade.
- Lawn Memorial Cemetery: Accessible unisex WC with ramped access.
- Brighton Town Hall: New tactile signage.
- Bartholomew House: Lift refurbishment.
- City Mortuary: Accessible WC.
- Children's Memorial: Accessible path.
- Stanmer Nursery Offices: New accessible WC.

3.3.1 Access works tendered in 2008/09 with works rolling into 2009/10

The following lists some of the main access works that are planned to be funded from the DDA capital programme for 2008/09, rolling into 2009/10.

Finance & Resources

- Brighton Town Hall: New automated door to public gallery of council chamber. Repair, and new handrail, to existing ramp to public gallery. Automatic openers to two committee rooms.

Environment

- Withdean Sports Centre: accessible entrance to tennis courts.

3.3.2 Proposed Access Works in 2009/10

For 2009/10 the intention is to complete the rolling programme of works listed in item 5.2 and prioritise improvement works to additional properties currently graded overall 3 or 4 by the access audits with a view to further improving the Councils key performance indicator BV156. Identified barriers and associated solutions will be discussed with service providers to ensure relevance and value for money.

3.3.3 Buildings being considered for the next phase of access improvements include:

Environment

- St Lukes Community Pool: Complete overhaul of the changing facilities including new lighting, heating, floor and wall finishes, accessible changing and showering provision, improved egress for wheelchair users, improved reception area. The internal client has successfully applied for match funding from Sport England facilitated by a contribution from the DDA budget.
- Slipper Baths Gymnasium and Dance Studio: General adjustments to improve access and the use of facilities by ambulant disabled people and those with sensory impairments.
- Victoria Road Recreation Ground: General adjustments to improve access for disabled people to the park and its facilities.
- Aldrington Recreation Ground: General adjustments to improve access for disabled people to the park and its facilities.

Adult Social Care and Housing

- 62/63 Old Steine Housing Need and Social Inclusion: Overall refurbishment of the property including £20,000 contribution from DDA budget for improved disabled access and facilities.

Cultural and Enterprise

- Booth Museum: accessible side entrance ramp - an alternative to the original proposal of a permanent ramp was investigated. The modular system proposed was found to be no more economical to install due to site constraints. The alternative of an external platform lift has been discussed with the internal client and will be investigated and, if it proved financially viable, progressed.

- Hove Museum: New accessible WC.

Finance & Resources

- Woodvale Coroner’s Office/Proposed Coroner’s Court: External and internal access improvements.

CYPT

- 8 Shenfield Way – Annexe to Children’s Centre: Put on hold by internal client while feasibility study is carried out into extending / improving the building and possibly changing its function. If a ‘service’ continues to be provided, a contribution from the DDA budget will be made towards improving provision for disable people.

3.3.4 With a continually changing situation due to on-going consultation, the need to obtain Landlord consents, Planning and Listed Building approvals etc the rolling rogramme of access works needs to have a degree of flexibility. We may need to be able to respond, during the year, to complaints and priority requests to deal with problem areas. Departments are also encouraged to incorporate DDA remedial works into other capital and planned projects.

3.4 Related Performance Indicators

3.4.1 Buildings Accessible to People with a Disability. This performance indicator reports on a quarterly basis the percentage of council buildings open to the public in which all public areas are more suitable for and better accessed by people with disabilities. It excludes public conveniences, commercially leased premises and schools, however the council has carried out access audits for these buildings and separate programmes of works cover these areas.

3.4.2 Currently 115 of the 164 council buildings, 70.12% that apply to this KPI are deemed accessible. The improvement works listed in this report plus additional properties to be selected shortly will help the Council to meet the target figure of 75% for 2009/10.

| YEAR | TARGET | ACTUAL SCORE |
|-----------|--------|--------------|
| 2005 / 06 | 53.6% | 53.94% |
| 2006 / 07 | 60% | 60.00% |
| 2007 / 08 | 65% | 65.45% |
| 2008 / 09 | 70% | 70.12% |
| 2009 / 10 | 75% | |

75% is also the final year target set out in the Action Plan of Council’s Disability Equality Scheme 2007 – 2010, under the Action “*Making Council buildings Accessible against BV156*”. Future targets will be reviewed and set against relevant local performance indicators to ensure that the Council continues to

move forward with its commitment to improving equality of opportunity for people with disabilities.

- 3.4.3 The National Property Performance Management Initiative (NaPPMI) Property Performance Indicators (PPIs) contain Property Performance Indicator PPI 4 that monitors progress in providing access to buildings for people with disabilities through access audits and accessibility plans. From data gathered in 2008/09 98% of relevant council properties – i.e. those that meet the definition of a KPI building – have had an access audit carried out, and the associated reports are held on the DDA database. The remaining 2% will be audited during 2009/10.

4. CONSULTATION

The access programme of works is co-ordinated by Property & Design, who consult with all the departmental representatives regarding their portfolio access requirements.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Cabinet approved the recommendations of the 'Asset Management Fund 2009-10' report at their meeting of 23rd April 2009. This included an allocation of £165,000 towards the rolling programme of access improvements as required by corporate DDA surveys. This, along with resources brought forward from 2008-09, will fund the DDA access works detailed within this report. The funding comes from capital receipts, with the allocation towards this priority being part of the council's capital strategy. Paragraph 3.2 provides further detailed information on the funding allocations towards the DDA works and how this has helped us to meet our performance targets.

It should be noted that there is no provision to meet additional revenue costs arising from any schemes and departments should plan to meet any such cost from within their own budgets.

Finance Officer Consulted: Stuart Taylor

Date: 28/05/09

Legal Implications:

- 5.2 The Council is working towards compliance with Part 3 of the DDA 1995. The Council must also take the Human Rights Act 1998 into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

Lawyer Consulted: Oliver Dixon

Date: 28/05/09

Equalities Implications:

- 5.3 Working towards access for all to the council's services in publicly accessible buildings.

Sustainability Implications:

- 5.4 Access audits will help to identify those buildings that are unsuitable for the purpose.

Crime & Disorder Implications

- 5.5 There are no direct implications, certain items of work will help to minimise vandalism through design and the use of relevant materials.

Risk and Opportunity Management Implications:

- 5.6 The risks and opportunities are dependant upon the successful procurement of contractors and robust contract and financial management to ensure that prioritised access improvement works are completed within budget and programme.

Corporate / Citywide Implications:

- 5.7 Improve access for all to the City Council's buildings that have public access and that fall under part 3 of the DDA.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Failure to identify, prioritise and plan the programme of access improvements will increase risks, inhibit access to services for all, lead to a negative perception of the Council and prevent fulfilling the council's priorities, aims and objectives.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The council must continue to improve public access to services within its buildings. The target driven rolling programme of improvement works helps the council to meet duties under the Disability Discrimination Act.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents In Members' Rooms

1. None

Background Documents

1. None