



Report of the Director of City Development

Executive Board

Date: 10 March 2010

Subject: Draft response to manifesto from Charlotte Annakin – Deputation to Full Council

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

See Appendix B for a summary table.

1. Purpose of this Report

- 1.1 The following comments are in response to the submission to full Council from Charlotte Annakin as part of the 'Mayor for a Day' scheme. In her submission she suggested various ideas that she believed would improve the environment for disabled people. We welcome the comments as a valuable contribution to the equality debate and support the Council's desire to create an environment that is easy to use and accessible to all users. A copy of her submission is provided in Appendix A.
- 1.2 Each of the issues raised from both the main body of her submission and her section entitled 'WHAT'S THE SOLUTION' are tackled in the **Main Issues** part of this report.
- 1.3 It should be noted that some of the issues raised can be addressed by LCC whilst others had to be are addressed by working with other agencies. A table of the Recommendations and the appropriate agency is shown in Appendix B.

2.0 Background Information

2.1 Charlotte's suggestions are weighted towards those members of the disabled community who have a mobility impairment. However, all her suggestions are also likely to have a positive impact on a variety of users in either a physical or educational way.

2.2 This report addresses each of her recommendations and outlines

- 1 What the Council's position is
- 2) Technical aspects of each of her recommendations
- 3) A possible way forward if appropriate. These are then collated in 'Recommendations' in section 4

3. Main Issues

3.1 '.....but not all of the buses have access'

3.1.1 The Council supports any measures in the public transport provision and infrastructure that improve access for all users.

3.1.2 In 1985 deregulation removed the provision of buses from local government control and placed the provision onto a commercial basis. Thus LCC has no control over the provision of accessible buses.

3.1.3 However the Disability Discrimination Act (1995) gave the Secretary of State power to make regulations to ensure that public service vehicles are accessible to disabled people. These regulations came into force on 30th August 2000. Any current stock that is not accessible does not have to be removed or retrofitted. Thus during the transition period there are likely to be a mix of buses on routes. From 2015 (through to 2017 – different dates apply according to size and type of vehicle) all buses are expected to comply with the regulations regardless of their age.

3.2 'On the path you find uneven paving, so it's a bumpy ride and some litter can be particularly unpleasant when your wheels and hands are the way you get about'

3.2.1 Leeds City Council expect all pavement to be clean and even for use by all users.

3.2.2 The Council has programme of inspection for roads, streets and footpaths. All streets and adjoining footpaths in Leeds are inspected at least once a year. Major roads and adjoining footpaths are inspected on a quarterly basis. From this a prioritized programme of works is developed within available resources.

3.2.3 The opportunity also exists for any member of the public to report any problems through City Centre Management and to Street Cleansing.

3.3 'Create a wheelchair experience area in Briggate titled. 'How would you like it'.'

3.3.1 The Council fully support any projects that raise awareness of barriers faced by disabled people.

3.3.2 Effective awareness training is the subject of some debate in the access community. Not everyone in the community is convinced to the merits of the simulation approach.

3.2.3 Any training should not just embrace wheelchair users but have a pan disability approach.

3.4 'Camphor [Chamfer] or ramp all steps into public buildings.'

3.4.1 The Council actively pursue improvements to buildings through its Planning and Building Control processes to ensure access for all users where appropriate. It also has an ongoing process of ensuring all its own building are accessible.

3.4.2 For the purposes of this report the definition of public buildings will have the wider meaning of buildings to which members of the public are admitted.

3.4.3 For applications proposing new development, and where planning permission is required, Applicants are required to submit a design and access statement. These proposals are then checked by the council's Access Officer to ensure that they comply with the appropriate guidance. The available controls that local government has to make access related changes in public such buildings is limited. If a building needs changes that warrant a Planning or Building Regulations application it is possible (given the right circumstances) to ensure that the development is made accessible.

3.4.4 The criteria for when the Council can make such changes is based on national legislation coupled with locally based policies. The Access Team based in Building Control having a consultation process with Planning that ensures that developments that need planning permission are made accessible where appropriate.

3.4.5 The other control for access into public buildings is the Disability Discrimination Act (DDA). Simply put, this is civil legislation to encourage people to ensure their buildings are 'reasonably' accessible. By way of illustration, if a wheelchair user cannot get into a shop because of a step the wheelchair user can challenge the 'service provider'. Basically the wheelchair user states that are not getting the same level of service as other users and therefore the service provider is being discriminatory. It is then up to the service provider to prove they are acting reasonably or ensure that the shop becomes accessible.

3.4.6 The council has a programme of works for its own buildings regarding all its obligations under the DDA.

3.5 Create remote control access to parking spaces.

3.5.1 Leeds City Council provides on street disabled persons parking bays where appropriate and have been providing such bays for many years. However Interestingly there is no traffic/highways based legal duty to do this. It is likely that this will fall under the general duty to promote disabled persons issues as stated in the Disability Discrimination Act 2006.

3.5.2 However there are two types of disabled persons parking bays. Those 'off street' and those 'on street'. The former can be found in car parks and the later type are found on the highway and are therefore governed by Highways based legislation. It is not possible to place any type of barrier to the 'on street' bays.

- 3.5.3 It is recognised that Blue Badges can be used unlawfully. Basically friends or family members of people with Blue Badges use them to access free disabled persons parking in the city centre and other areas such as sports centres and supermarkets.
- 3.5.4 It may be possible to place barriers to off street parking bays in Council run car parks, but the question is raised as to whether it would be desirable. Such barriers would need control mechanisms and the issue of how these are to be provided, maintained and how any remote mechanism would be provided to disabled people has significant resource and management implications for the Council. Also if a visitor from outside Leeds was to use a Council run car park, remote devices would also pose access problems.
- 3.5.5 The need for better control of the abuse of the Blue Badge scheme and the use of disabled persons parking bays is well documented. However it is likely that a remote control barrier system of these bays would be resource intensive and ultimately may have a negative impact in terms of access for disabled people.
- 3.5.6 Two reports on Blue Badge abuse have been written in response to member requests. These reports resulted from work between the Equality Unit and Parking Services. The reports identified many issues with Blue Badge parking abuse and also identified an enforcement scheme in Liverpool that seemed to have success. Again, these schemes were resource intensive.
- 3.6 'Ask shops to create space for browsing and make space around tables particularly where there is fixed seating. Advise them of the average width of a chair.'**
- 3.6.1 This is to be read in conjunction with item 3.4.
- 3.6.2 As with item 3.4 LCC are very much aware of such concerns however (also with item 3.4 three) the control is limited.
- 3.6.3 The technical aspects of what is considered accessible internally are available. However, these are generic national standards and as with all generic solutions will only provide solution for a certain (if very high) proportion of disabled people.
- 3.6.4 Fixed seating is actually preferred by some users as it allows for security when rising or sitting on a chair. However, when asked and where appropriate, LCC ask for a mixture of seating to be provided.
- 3.6.5 However current mechanisms for the delivery of information already exists. Leeds Retail Association (LRA) meets quarterly and scope exists to present information and ideas at this meeting. Also a news letter is produced which is coordinated by City Centre management about retail in the City Centre. This goes out to over a 1000 retailers in the City every 2 months. Articles or advice could be printed in the Newsletter. Lastly contact could be made with the Leeds, York and North Yorkshire Chamber of Commerce to see how they could facilitate matters.
- 3.7 Extend the time at pedestrian crossings**
- 3.7.1 LCC is aware that some people move slower than others at crossing points and will always try and ensure that all pedestrians have adequate time to cross roads.

3.7.2 The timings for crossings are set nationally by the Department for Transport. Crossings such as 'Pelicans' have strict timing regulations, relating to the crossing distance, and can only be varied by a matter of seconds. Crossings at traffic signal junctions can have a longer green man time as they operate in parallel with movement. In a lot of cases green man timings in Leeds are increased in the off peak periods to assist pedestrians. Each traffic signal junction and its crossings are different but Leeds takes a lot of care to help pedestrian cross the junction by coordinating the crossings wherever possible.

3.8 'A massive awareness campaign involving local TV and radio to kick start the process. They would publicly award those who make an effort and those who ignore it. Why?'

3.8.1 As stated in 2.1 the Council supports any initiatives that heighten awareness and we should take this opportunity to publicise the proposed Briggate event .

3.8.2 Recent comments from charities regarding the practice of penalty charges at supermarkets for users who take longer than two hours have identified that this may be discriminatory against disabled people. If a campaign raising awareness of disabled persons issues is likely to be resource intensive then Asda (or a similar organisation) may wish to work in partnership with LCC to raise the profile of the issue.

4. Conclusion

4.1 We welcome the proposal from Charlotte as a positive contribution to the improvement of access in Leeds for all users.

4.2 It is important that all of the recommendations above be taken in light of and sensitive to the Councils current financial position.

4.3 Charlotte (and friends should she wish) is invited to spend a Mayor for a Day 'event day' with the Access Team of City Development Department and associated officers. It is proposed that the day consists of visits to existing and proposed sites that highlight some of the problems and associated solutions with access. In particular this day will focus on the areas raised in her manifesto and highlight the progress Leeds City Council is making with regard to access.

4.4 Executive board is asked to accept the Recommendations as outlined in Appendix B.

Background Papers

Disability Discrimination act 1995/2005
Reports on Blue Badge abuse

Appendix A:

Manifesto

Name: Charlotte Annakin

School: Brigshaw High School and Language College

Age: 16

Campaign Slogan: You don't have to spend a fortune to make a difference.

Campaign Summary

1. Create a wheelchair experience
2. Create a secure disabled parking system
3. Improve access, steps aren't always essential.

If I was running Leeds for a day I would say 'You don't have to spend a fortune to improve life for a lot of people'. Who would not be in favour of that ! Talking about spending – spend a day in a wheelchair and find out how difficult and frustrating your life can be.

Annoyingly, for the most part, it's not the big things that cause the problems its small things which are easily fixed. The wheelchair experience is a real sensitizer. We take so much for granted, not realising that these small things can bring you to a standstill – literally !!!

Getting into the city is free – a great start but not all of the busses have access. Drive in and you can have major problems with parking. It is so annoying when clearly marked disabled spaces are taken by perfectly fit people who have much more provision but can't be bothered to walk. I wish !!

On the path you find uneven paving, so it's a bumpy ride and some litter can be particularly unpleasant when your wheels and hands are the way you get about. Imagine encountering broken glass, chewing gum and doggy deposits – its bad enough getting it on your shoe.

Get to the shops and many of them have a small step or threshold. One small step for man but a giant leap for a wheelchair. Only the bigger shops have automatic doors so it's a nightmare if you're on your own, you have to rely on an increasingly 'in a hurry' society.

Once in the shops and restaurants it can be so difficult to negotiate the tables and aisles. Floor space is expensive, racks are put close together and become a jungle of T shirts and trousers. Then, where is the disabled changing room and how difficult will it be to pay ?

There are so many small changes that would make a massive difference.

SO THAT'S THE MOAN

WHAT'S THE SOLUTION ?

The people who have the problems can advise on the solutions. Don't presume. Give them the voice and empower them to make changes by listening and acting. After the wheelchair experience, I would be suggesting.

Create a wheelchair experience area in Brigade titled, 'How would you like it?'

Camphor or ramp all steps into public buildings.

Create remote control access to parking spaces.

Ask shops to create space for browsing and make space around tables particularly where there is fixed seating. Advise them of average width of chair.

Extend the time at crossings

A massive awareness campaign involving local TV and radio to kick start the process. They would publicly award those who make an effort and ask those who ignore it. Why ?

Appendix B – Recommendations

Comment	Agency	Recommendation
<p>‘Create a wheelchair experience area in Briggate titled. ‘How would you like it’</p>	<p>Leeds City Council / Independent Disability Council / Access Group / Charlotte Annakin</p>	<p>Recommendation 1: Work is undertaken between LCC, the Independent Disability Council (IDC) / Disability Hub and Charlotte Annakin to hold an pan disability awareness raising event to in Leeds City Centre.</p>
<p>Create remote control access to parking spaces.</p>	<p>Leeds City Council</p>	<p>Recommendation 2: Further work to rake place to explore possible solutions to Blue Badge abuse in context with current and future resources available to the Leeds City Council.</p>
<p>‘Camphor [Chamfer] or ramp all steps into public buildings.’</p> <p>‘Ask shops to create space for browsing and make space around tables particularly where there is fixed seating. Advise them of the average width of a chair.’</p>	<p>Partnership Work with Private Sector</p>	<p>Recommendation 3: Access Team, Equality Unit and City Centre Management to discuss which information should be sent to retailers to improve accessibility using existing processes.</p>
<p>‘A massive awareness campaign involving local TV and radio to kick start the process. They would publicly award those who make an effort and those who ignore it. Why ?’</p>	<p>Leeds City Council / Partnetship Work with Private Sector / IDC / Charlotte Annakin</p>	<p>Recommendation 4: Work is undertaken between LCC and the Independent Disability Council (IDC) / Disability Hub to establish a method of raising awareness in a resource sensitive way.</p>
<p>Other Recommendations</p>	<p>Leeds City Council</p>	<p>Recommendation 5: That Charlotte Annakin and any friends she wishes to bring are invited to spend a day in the company of the Access Team in Building Control to better understand how the Council addresses issues of Access.</p>