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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Culture and Leisure)

Date: 14 April 2008

### Subject: Request for Scrutiny – Disabled Access to Leeds Grand Theatre

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#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 1.0 Purpose of the report

- 1.1 The purpose of this report is to present the Board with a request for scrutiny regarding disabled access to Leeds Grand Theatre and for members to determine any future action in this regard.

## 2.0 Introduction

- 2.1 Within the Council's Constitution, Section 12 (Requests for Scrutiny) of the Scrutiny Board Procedure Rules sets out the various sources of requests for scrutiny and the processes for dealing with such. Section 12.4 (Requests for Inquiries from other sources) states that the appropriate Scrutiny Board shall consider a request from any other source to undertake an inquiry<sup>1</sup>.
- 2.2 A request for scrutiny regarding disabled access to Leeds Grand Theatre was received by the Head of Scrutiny and Member Development on 28 February 2008 and is presented to the Scrutiny Board (Culture and Leisure) for consideration (Appendix 1).
- 2.3 Before deciding whether or not to undertake a formal inquiry, it is important for Members of the Board to consider the context for any scrutiny request, including any current or planned actions and/or activity. As such, Members are asked to consider the additional information provided by the Chief Libraries, Arts and Heritage Officer, attached at Appendix 2

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<sup>1</sup> Except in exceptional circumstances, the Proper Officer will not refer requests which relate solely to the interests of one individual or company to the Scrutiny Board for consideration, and will refer requests relating to matters of purely local concern to the relevant Area Committee.

- 2.4 In considering this request for scrutiny and the additional information presented by officers, the Board should be mindful of the use of the Council's resources and any duplication that may be caused as a direct consequence of undertaking a formal scrutiny inquiry. Members should also be mindful of the time available to undertake an inquiry during the current municipal year.
- 2.5 When considering this request, there are a number of options available to the Board, including:
- 2.5.1 Take no further action;
  - 2.5.2 Agree the recommendation of the Chief Libraries, Arts and Heritage Officer, detailed in Appendix 2;
  - 2.5.3 Make any appropriate recommendations based on the information presented in this report and its appendices;
  - 2.5.4 Refer this request to an alternative, and more appropriate, body (including an alternative Scrutiny Board or, where the issues are of a cross-cutting nature, the Overview and Scrutiny Committee);
  - 2.5.5 Request additional information to inform a future decision.
- 2.6 When determining what action to take, it is equally important for the Board to be clear about the reasons for taking such action. This information will then be used to inform and advise the relevant stakeholders of the Board's decision.
- 2.7 Should the Board decide to undertake an inquiry this will need to be included in the work programme, with terms of reference drawn up and submitted to a future meeting.

### **3 Recommendation**

- 3.1 The Scrutiny Board (Culture and Leisure) is asked to consider the request for scrutiny (Appendix 1), alongside the additional information presented by officers (Appendix 2), and determine what, if any, further action to take.
- 3.2 That all interested parties, including the originator of the request, be advised of the Board's decision, the reasons for the decision taken and any following actions, as soon as practicable.

### **Request for Scrutiny: Disabled Access to Leeds Grand Theatre**

I would like to request that the Scrutiny Board for Leisure urgently examine disabled access to Leeds Grand Theatre.

It is evident, from the Scrutiny at Leeds City Council Annual Report 2006/07, that the Board have previously visited the Theatre and are monitoring developments. However, access for wheelchair users has been incorrectly evaluated.

According to Scrutiny Board (Leisure) Minutes for Monday, 16th April, 2007, Item 95 Leeds Grand Theatre - Up-date and Presentation, under Refurbishment Issues, the Board were advised that the Theatre was DDA compliant, but that there remained the aspiration by the Leeds Grand Theatre to improve access arrangements when funds allowed - the minutes then move on to backstage improvements.

Improving access at Leeds Grand Theatre should not be an aspiration of the management - it should be a priority for the Council. Whilst a lift and disabled toilet facilities have been added to the Grand Theatre during the refurbishment works, these are of little use to a wheelchair user that is unable to access the building. A wheelchair lift exists but the access to this is narrow, awkward and requires assistance to make a sharp right angle turn to get the wheelchair on to the lift platform . Only the smallest wheelchairs can gain access to the theatre this way, those with larger chairs are excluded from the building.

Under the terms of the Disability Discrimination Act 2005, 21D Meaning of "Discrimination" in section 21B

(1) For the purposes of section 21B(1), a public authority discriminates against disabled people if:

(a) for a reason which relates to the disabled person's disability, it treats him less favourably than it treats or would treat others to whom that reason does not or would not apply. Part 5A of the Act states what Public authorities have a duty to regard.

Wheelchair access to the Theatre should be compliant with The Building Regulations, Access to and use of buildings Approved Document M. Only then would the Council be meeting its obligations under the DDA.

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