

REPORT TO THE EXECUTIVE



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PORTFOLIO	Resources
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Asset Management- Disability Discrimination Act (DDA) and Access to Council Buildings

PURPOSE

1. To obtain Members approval to release funds from the Capital Programme 2009/10 DDA Accessibility Works.
2. To agree an outline programme of specific works to be undertaken in 2009/10.

RECOMMENDATION

3. That the Programme of Works set out in [Appendix 1](#) be approved and the budget of £125,000 in the Capital Programme for 2009/10 be released.
4. That the Head of Property Consultancy be authorised to seek suitable tenders to undertake these works in accordance with the Council's Standing Orders and, in consultation with the Executive Member for Resources, appoint a contractor to carry out the works.

REASONS FOR RECOMMENDATION

5. It is an obligation on the Council as the 'service provider' to undertake a programme of works to comply with the Disability Discrimination Act (DDA) 2005 and in line with Council's Policy and Strategic Objective B4d.

SUMMARY OF KEY POINTS

6. Appendix 1 attached, outlines the proposed 3 year programme for the DDA and Accessibility Works to Council Buildings. Each scheme will require further development in detail and costing.
7. The 3 year DDA Works Programme has been compiled in reference to the DDA Access Audits carried out by Property Consultancy and consultation with the relevant Heads of Service, including the Equality & Access Service Unit, to prioritise the buildings or sites to ensure that those used most frequently receive our attention where possible.

8. The following criteria of prioritisation has been adopted for the selection of the schemes in the 3 year programme:
- (A) Probability of use by persons with a disability who would otherwise not be able to use the service, or be disappointed or frustrated.
 - (B) Level of pressure / complaints from disabled users/persons who are unable to use the building because of access restrictions.
 - (C) "Public" profile of use, e.g. special arrangements can be made for staff or known regular users but not for public audience or facility open to the general public on a non-appointment basis
 - (D) Availability of alternative provisions elsewhere, e.g. if there is only one location for the service, or if the building/site hosts "one-off" events or performances, then it is clearly discriminatory if a person with a disability cannot use or attend.
 - (E) Ability to make alternative provisions in the building e.g. can the disabled persons get to a reasonable location in the building where alternative arrangements can then be provided?
 - (F) Numbers of persons/members of the public/customers/visitors etc., using the buildings, sites and facilities.
9. In addition to the above criteria, the following Risk Management Implications have been considered in relation to the non-delivery of the DDA Programme of Works:

Implications	High	Medium	Low	None
Financial		x		
Environmental			x	
Personnel/Resources				x
Crime & Disorder				x
Human Rights	x			
Data Protection				x
Freedom of Information				x
Legal	x			
Equalities & Diversities	x			
Reputation	x			

Proposed DDA Works for 2009/10

- 10. Parker Lane Civic Offices - provision of accessible w.c. on the ground floor level by means of converting existing male toilets into unisex disabled w.c. and the existing female toilets into a unisex w.c.. Anticipated work start on site July 2009.
- 11. Memorial Park Toilets, Padiham – it has been agreed that this scheme is programmed in for 2009/10 as a 'Plan B' due to the limited availability of the Heritage Lottery Funding towards the Memorial Park in Padiham. Final approval will be required from the HLF that expenditure on this scheme qualifies as match funding.

12. St. Johns Cemetery, Padiham – Full feasibility study to be carried out for the provision of a new unisex disabled toilet block (to be used by all persons able and disabled) that will open only on burials. Progress on this scheme within the current financial year will depend on the balance of funds that are available.
13. All priorities for works within the 3 year DDA Works Programme have been consulted with each of the relevant services with their priorities and the DDA Access Audit Reports. An element of flexibility must be retained to react to the inclusion of schemes that services and others come forward with 'as revised' priorities as strategies develop, such as the Asset Management Plan (acquisitions, disposals, leasing etc.) and as specific needs arise.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

14. The 2009/10 DDA Works Budget has been approved at £125,000.00. The estimated cost of the works is £106,250 for payments to contractors, with £18,750 for Property Consultancy staff recharges.
15. Actual spending in 2009/10 will be greater than £125,000 due to the need to complete the work to the Queens Park toilets that is being carried out as part of the 2008/09 programme.

POLICY IMPLICATIONS

16. As a Local Authority, we have an obligation as a 'service provider' to undertake Disability Discrimination Act works to our buildings in order to protect our position by making 'reasonable adjustments' to remove barriers and enable disabled people to access services and facilities.

DETAILS OF CONSULTATION

17. None.

BACKGROUND PAPERS

18. DDA Access Audits held in Property Consultancy.

FURTHER INFORMATION

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