

Access Report on Entrances and Facilities at Brecon Cathedral



24 May 2022

JANE TOPLIS ASSOCIATES LTD

Jane Toplis RIBA NRAC

Access Consultants and Architects specialising in Historic Buildings

2 Attewell Court Devonshire Bldgs Bath BA2 4ST Tel 01225 483767 email: jane@jtac.co.uk

TABLE OF CONTENTS

1	Introduction.....	3
1.1	Executive Summary.....	3
1.2	Scope of report	4
1.3	Background and setting	4
2	Access Review of Cathedral.....	6
2.1	Approach, parking and entrances.....	6
2.1.1	Public car park	6
2.1.2	Cathedral car park	6
2.1.3	Main North Porch entrance.....	7
2.1.4	Route to ‘wheelchair accessible’ entrance.....	8
2.1.5	‘Wheelchair accessible’ entrance through Vestry South Door	9
2.1.6	South Aisle Door from Vestry Range	10
2.2	Internal circulation and WC facilities.....	10
2.2.1	Route from the Cathedral to the WCs.....	10
2.2.2	Unisex Wheelchair Accessible WC	11
2.2.3	Men’s and women’s WCs	12
2.3	Means of escape	12
3	Options Appraisal Matrix: Review of Accessible Entrance Proposals	13
3.1	Principle Requirements for an Accessible Entrance	13
3.2	Access Review of the Options.....	13

APPENDIX A: Legislation and Standards

BRECON CATHEDRAL: ACCESS REPORT ON ENTRANCES AND FACILITIES

1 Introduction

1.1 Executive Summary

This Access Report focuses specifically on establishing an acceptable entrance for wheelchair users who visit, worship and work at Brecon Cathedral. Because the Cathedral is located on a sloping site, the main entrance on the north side has steps down into the building and the busy entrance on the south side has steps up into the building. There is currently no entrance at the west end, which would be a level entry point.

The existing main entrance is through the 15-16th century North Porch, but this is hampered by irregular steps that rise up and down at the inner and outer porch doors, some with an insufficient safe distance on each side of the door swings. Even for ambulant disabled and visually impaired visitors, it is difficult to fix suitable handrails on these steps because of the proximity of the steps to the doors. The southern entrance into the Cathedral is often used by local people and those arriving by foot from the town centre. This entrance has a level doorway into the Vestry Range, followed by two steps up to a small landing and a restricted door into the Cathedral Nave. An access scheme was implemented in 2015, when an incline platform lift was installed on these two steps. This platform lift is very rarely used because wheelchair users find incline platform lifts awkward and undignified. It is slow and often breaks down. This is not an acceptable accessible entrance for wheelchair users.

For many years since the installation of the incline platform lift, the Cathedral has been searching for an alternative accessible entrance into the building. In the period leading up to producing this report, consultation sessions with the congregation, local people, clergy and staff have led to a wide range of possible access solutions. Oliver Architecture has as compiled these possible access solutions into an Options Appraisal Matrix document. Section 3 of this report groups these options together and explains why many of them are not feasible. They will either be detrimental to the historic fabric or setting of the Cathedral or the proposed ramps just do not fit within the suggested space, so any ramp would be too steep for a wheelchair user to negotiate. It is essential that the new accessible entrance should allow a wheelchair user to enter safely and not require assistance by staff.

The conclusion of the review of the Options Appraisal Matrix is that the only acceptable accessible and inclusive entrance will be to install a new doorway through the Cathedral's West Front, as described in Option 7. This entry point is equidistant for visitors arriving from the north and south, and will have a gently sloped external approach to the new doorway with a draught lobby into the rear of the Nave. It is my opinion that this is the only inclusive solution. Its simplicity negates the need for the awkward external or internal ramps and steps shown in the other options. If any of the other access options are selected at this point, I fear that in future the search for a better accessible solution will be revisited, resulting in further alterations and removal of inadequate ramps or structures. Consequently, I have no doubt that the New West

Door will be the most cost effective way to solve the existing unacceptable access at Brecon Cathedral and will provide a long lasting entrance for all Cathedral users.

1.2 Scope of report

This report assesses the current approaches, entrances and internal circulation at Brecon Cathedral and reviews the accessible entrance proposals included in the Options Appraisal Matrix by Oliver Architecture. It covers access for people with physical, sensory and neurodiverse disabilities, including members of the public, worshippers, clergy, staff and volunteers. Jane Toplis RIBA, NRAC visited the Cathedral on 10 January 2022 for a survey visit and 09 April 2022 for a public consultation. No previous access audit report was available for review. Please note that this report is not a full access audit of the Cathedral and surrounding buildings and grounds. It focuses on specific issues relating to the entrances, internal circulation and access to specific internal facilities.

This report consists of the following sections:

- Section 1: Introduction
- Section 2: Description of areas surveyed with recommendations
- Section 3: Options Appraisal Matrix: Review of Accessible Entrance Proposals
- Appendix A: Legislation and Standards. This covers the legislative background and indicates which statutory and guidance documents have been used in carrying out this audit, for instance:
 - ADM2 Building Regulations Approved Document M Vol. 2
 - ADK Building Regulations Approved Document K
 - BS8300:2018 British Standard 8300:2018, Design of buildings and their approaches to meet the needs of disabled people – Code of Practice.

1.3 Background and setting

Brecon Cathedral is located on the north side of the town on a rocky outcrop, reached over a bridge across the River Honndu and up a steep road, Priory Hill.

The first church on the site dated from pre-Norman times, and the current church was rebuilt in the 13th century as the church of Brecon Priory. Later additions including the 14th century west front. Major renovation works occurred in the 1870s, overseen by Gilbert Scott. In the 1920's the Priory Church became the Cathedral of the Diocese of Swansea and Brecon in the Church in Wales and seat of the Bishop of Swansea and Brecon.

The Cathedral (Grade I listed) is located to northeast of The Close, a space surrounded by Grade II* listed walls and containing ecclesiastical buildings. The remains of the former monastic

buildings are now used as the Vestry and Deanery (Grade II* listed). The Tithe Barn (Grade II* listed) contains the Heritage Centre and Shop, and the Tea Room and WCs is in the adjoining outbuilding. Other buildings include the Almonry (Grade II listed), a residential building, and the Diocesan Centre.

To the north of the Cathedral is the wooded churchyard. Open grass areas wrap around the east end, with the Meadow to the east of the Chancel and a grassy site of the former Cloister to the south.



Site plan showing the Cathedral, the Car Parks and the Cathedral Close

2 Access Review of Cathedral

2.1 Approach, parking and entrances

There are several approach routes to the Cathedral. From the northwest the approach is from the public car park. Pedestrians approaching from the north enter through a vehicle entrance from Priory Hill into the tarmac driveway in front of the Lych Gate.

Further south there are two pedestrian approach routes from the Brecon town centre up Priory Hill, via long flights of steps at the rear of the Diocesan Centre and through a pedestrian gate with steps to the south of the Tythe Barn Tea Room. There other pedestrian approach paths through the churchyard from the east end and north. None of these stepped approaches from Priory Hill or the routes through the churchyard are covered in this access report.

At the consultation session on 09 April 2022, I was informed that many local people enter the Cathedral from the south through the South Vestry Door.

2.1.1 Public car park

The public car park, located to the north west of the Cathedral is where many tourist visitors park. This public car park is not managed by the Cathedral. It has two designated accessible parking bays. A level gateway opens into the Cathedral driveway in front of the Lych Gate.



Designated accessible parking bays in public car park with gateway leading to Lych Gate

2.1.2 Cathedral car park

The Cathedral car park is located to the south of the Vestry and Deanery Range. Public parking is not permitted here, except for specific visitors and disabled people who have made advance contact with the Cathedral. There are no designated bays marked out.



Cathedral car park where disabled visitors can pre-book a parking place

Recommendations

- *In the short term, if a disabled driver wishes to visit the Cathedral, a management procedure should be established to ensure that there is sufficient transfer. These transfer zones can be denoted by placing traffic cones to indicate a level space large enough to transfer out of the car at the side or rear of the parking bay.*

- *In the long term designated accessible parking bays with transfer zones should be marked out in a suitable location within the Cathedral Close.*

2.1.3 Main North Porch entrance

This entrance is often used by first time visitors to the Cathedral, arriving and parking in the public car park. A tarmac path runs through the churchyard from the Lych Gate to the North Porch, which has an uneven surface in a poor state of repair.

Any wheelchair users, who miss the signs before passing through the Lych Gate, may not realise that this main entrance through the North Porch is not a wheelchair accessible entrance into the church. This entrance is also not suitable for ambulant disabled and visually impaired people. Steps at the inner and outer porch doors rise up and down as a series of irregular steps, some with insufficient safe distance on each side of the door swings. There are no handrails on the steps and the lighting levels within the porch are low.

In detail the porch has a 125mm high step up to the external double doors (860mm clear width). Just inside these doors there are two steps (risers of 150mm and 170mm height) down into the porch.

The porch interior has a reasonably level stone flags except a 150mm height step just in front of the inner double doors (860mm clear width), which open into the nave. There is a very small landing between this step and the doors themselves.

These inner double doors open into the Cathedral Nave over an approx. 1.8m wide stone platform, which steps down another 200mm to Nave floor level.

None of the porch steps have handrails and the painted contrasting nosings on some steps are worn away.



Uneven path from Lych Gate to North Porch



Approach to North Porch and 125mm step at double doors

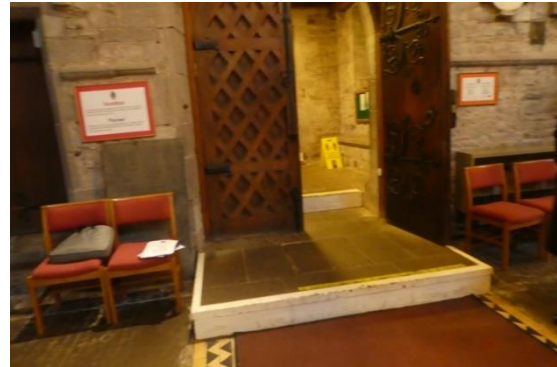


Outer double doors, with a raised threshold with one step up and two steps down inside



View from inner double doors towards two steps up to outer double doors

Options for adapting the North Porch are discussed in Section 3. The conclusion is that it is not possible to install permanent ramps running through this entrance which have level landings on both sides, clear of the outer and inner door swings. Furthermore it is not possible to lay temporary ramps over the North Porch steps, because these would obstruct the porch doors from closing.



1800mm wide stone platform in front of the inner double doors from the porch

Recommendations

- *Resurface tarmac path through churchyard so that there is a smooth surface.*
- *In the short term the contrasting nosings on some steps should be repainted.*
- *In their current arrangement the North Porch steps present a trip hazard for ambulant disabled and visually impaired people, due to their irregular dimensions and the low lighting levels. A design study is required to see if there are any possible locations to mount handrails, taking into account the confined space within the porch and the steps' proximity to the door swings.*

2.1.4 Route to 'wheelchair accessible' entrance

Because the North Porch is not an accessible entrance, wheelchair users are currently redirected back out of the churchyard through the Lych Gate, and into the Cathedral Close through a vehicle gate. The accessible entrance into the Cathedral is through the South Door and the Vestry Range.



Vehicle gate on entry into the Cathedral Close

The pedestrian route through the vehicle gateway into the Cathedral Close is busy with pedestrians approaching the Tythe Barn café from the public car park, but it has no segregation between vehicles and pedestrians. A smooth area of tarmac surface has been installed at the gateway, where there had been an uneven cobble strip. This provides a smooth surface for wheelchair users.



Narrow smooth strip on far side of speed bump in the Cathedral Close is too narrow for easy wheelchair circulation

The route to the wheelchair entrance continues to a speed bump across the pedestrian/vehicle driveway. There is a narrow level section at one end of the speed bump, running alongside a cobble strip, which is not quite wide enough for wheelchair users to easily negotiate along.

Recommendations

- *The speed bump needs to be altered so that there is a wider smooth route past it, from the Cathedral Close gateway to reach the accessible entrance and Cathedral car park, where disabled drivers are permitted to park.*
- *In the long term the external surfacing within the Cathedral Close should be adapted and pedestrian and vehicle routes more clearly defined.*

2.1.5 'Wheelchair accessible' entrance through Vestry South Door

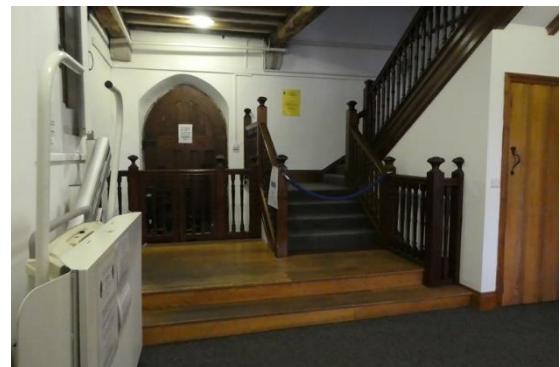
Just beyond the speed bump there is a reasonably level flagstone path to the South Door into the Vestry Range. This is a level doorway with 1050mm clear width. The door is heavy to push/ pull and the ironmongery is difficult for somebody with limited dexterity to open.



Flagstone path to accessible door into vestry range

Inside this doorway there is a reasonable spacious level area and then two steps up to a small landing at Nave level. These two steps (130mm risers and 290mm goings) have no handrails.

An incline platform lift has been installed to rise up these two steps. A member of staff must be summoned to operate it, so it is not an unassisted means of access.



Double doors, with 860mm through one opening leaf and 125mm step up

Wheelchair users find incline platform lifts awkward and undignified to use. Many people will refuse to use them. They are also slow and can often break down. This is not an acceptable accessible entrance route into the Cathedral, especially as wheelchair users have to take a long detour from the main North Porch entrance. While on site I was informed that it is very rarely used.

Options for adapting this lobby and installing a ramp here are discussed in Section 3, but none provide an access solution which meets current guidelines, because there is insufficient space to install a ramp between the entrance door and steps.

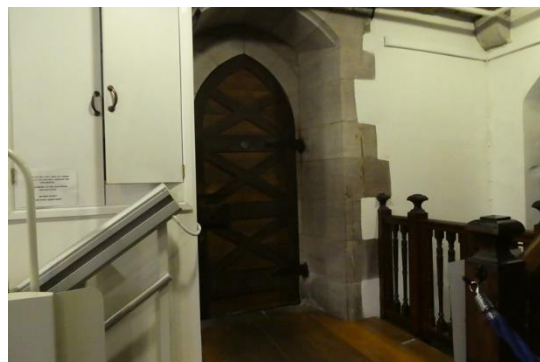
Recommendations

- *A design study is required to establish the best location for an inclusive accessible entrance (for able bodied people and wheelchair users) into the Cathedral, avoiding the awkward steps at the North Porch entrance and the very poor wheelchair route into the Cathedral through the Vestry Range. Section 3 discusses different entrance options.*

- *In the short term the South Door into the Vestry should have its door closer adjusted to reduce the opening force in accordance with AD M 3.10a.*
- *In the short term handrails should be mounted on the two steps in the Vestry and more visible contrasting nosing strips are required on the step edges.*

2.1.6 South Aisle Door from Vestry Range

The final access barrier on the 'wheelchair accessible' route is the door from the Vestry Range into the Cathedral's South Aisle. The door (860mm clear width) is approached from the narrow landing at the top of the two steps discussed in section 2.1.5 above. It is positioned within a deep alcove through a thick wall. The offset at the leading edge of the door leaf is less than the required 300mm and the wheelchair manoeuvring space is constricted by the top step edge, the metal track of the incline platform lift and a balustrade.



South Aisle Door has no space for a wheelchair user to manoeuvre and open the door independently

The door is either left open when the Cathedral is open to the public, or staff have to open it for a wheelchair user to pass through, because of this lack of manoeuvring space.

Recommendations

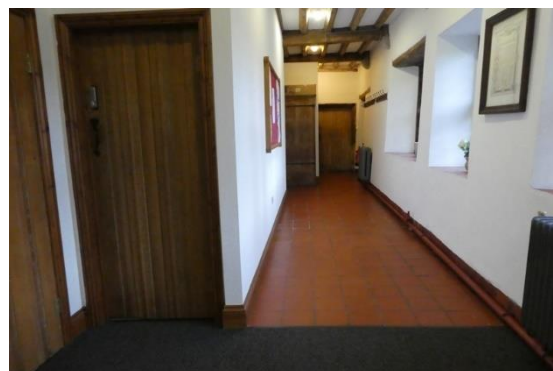
- *The South Aisle Door opening from Vestry Range should be automated, or the doorway widened. This door is discussed in Section 3 Option 11.*

2.2 Internal circulation and WC facilities

2.2.1 Route from the Cathedral to the WCs

WCs for men, women and a wheelchair accessible WC cubicle were installed within the Vestry Range by architects Caroe and Partners in 2015.

These facilities are reached from the Cathedral by descending the two steps in the Vestry lobby. Alternatively a wheelchair user has to descend using the incline platform lift to the level corridor leading to the WCs.



Corridor to WCs in Vestry Wing

Recommendations

- *Due to the fact that the incline platform lift will be removed once an alternative accessible entrance to the Cathedral is implemented, there will need to be an accessible route from the Cathedral to the WCs. A ramp is required to link the South Aisle door*

from the Nave to the corridor at WC level. Installing a ramp here may require the alteration of the two steps and landing to provide a wheelchair width level route to reach the top of the proposed ramp. A design study will be required to establish the best adaptation in this area.

2.2.2 Unisex Wheelchair Accessible WC

The unisex wheelchair accessible WC cubicle is reached from a reasonably wide lobby area and has an outward opening door (980mm clear width). The large cupboard in the lobby slightly obstructs wheelchair circulation in front of the WC door.

The internal cubicle size is 2090mm long and 2081mm wide, so it does not quite meet to the access standards set out in Building Regulations AD M (2200mm x 1500mm cubicle size). It also contains a baby changing facility. Given that the cubicle is wider than the minimum required dimension, it is my opinion it is an acceptable size cubicle for a unisex wheelchair accessible WC.

The arrangement of WC pan, wash basin and most of the grabrails meet the current access standards, taking into account it is inserted into an existing historic building. There is good visual contrast between the WC pan seat and grabrails, against the white walls.

Some aspects of the detailed design of the cubicle do not meet current access standards, as described below:

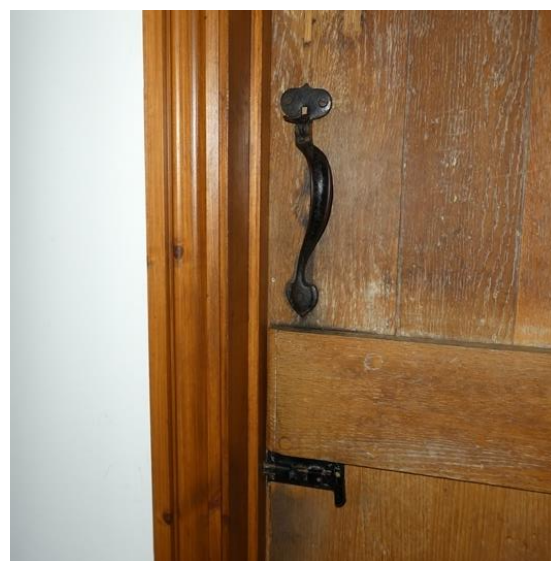
- The wheelchair symbol on the door is too small and is mounted at high very level. The baby changing symbol mounted just below it is more visible.
- The wrought-iron ironmongery on the door is not openable by someone with limited dexterity and is at very high level (1325mm afl) with a small pull handle below it. The requirement is that door ironmongery should



Approach to accessible WC door is obstructed by cupboard and has small high sign



Interior of unisex wheelchair accessible WC cubicle



Door ironmongery is not openable by someone with limited dexterity

be able to be operated by someone using a clenched fist. Inside there is a small, awkward sliding bolt to secure the door. This bolt is mounted at a reasonable height (945mm afl) but cannot be opened from the outside, if somebody falls within the cubicle.

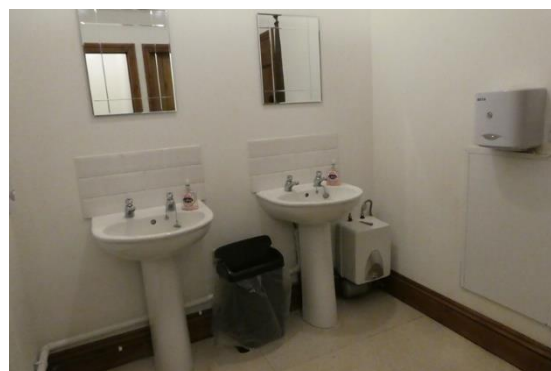
- There is no horizontal grabrail fixed on the WC cubicle door.
- The baby changing unit is mounted at a high level (1026mm afl).

Recommendations

- *The door signs on the unisex wheelchair accessible WC cubicle door should be larger to assist people with vision impairments, and mounted at maximum 1200mm height suitable for wheelchair users.*
- *The wrought-iron door ironmongery should be replaced with door handles at 900mm afl. The door handles and controls should be able to be operated with a clenched fist and the door should be openable from the outside, if somebody falls within the cubicle.*
- *A horizontal grabrail should be fixed on the inner face of the door at 900mm afl.*
- *The baby changing unit should be mounted at 850mm afl.*

2.2.3 Men's and women's WCs

Within the men's and women's WCs there are no ambulant disabled cubicles with grabrails and outward opening doors. The internal décor provides no visual contrast between the white sanitary fittings and the background tiles and walls.



Internal décor provides no visual contrast between white fittings and walls

Recommendations

- *One cubicle in both the men's and women's WCs should be adapted to be an ambulant disabled cubicle.*
- *When the WCs are next decorated, there should be better visual contrast between the doors, walls and floors to assist people with vision impairments.*

2.3 Means of escape

This section recommends that a means of escape strategy is developed following consultation with a fire specialist, which considers evacuation of disabled people, including wheelchair users, ambulant disabled people, those who are deaf or hearing impaired, and those with visual impairments.

3 Options Appraisal Matrix: Review of Accessible Entrance Proposals

3.1 Principle Requirements for an Accessible Entrance

The fundamental entrance requirements at a public building, as specified in access legislation, are:

- An **inclusive entrance** requires that all visitors, worshippers, clergy, staff, etc. enter through the **same entrance**.
- If providing an inclusive entrance is not permitted due to the detrimental effect on historic fabric or setting as stated by Cadw or other conservation bodies, wheelchair users or those unable to climb steps should be able to enter the Cathedral **without assistance from the staff**. This means that any ramp should be permanently in place and no doors should need to be unlocked/ pulled open for the disabled person, because for instance, a wheelchair user cannot reach the door handle. Ideally doors should be automated.

3.2 Access Review of the Options

The Options Appraisal Matrix of accessible entrance proposals, compiled by Oliver Architecture, sets out 15 options to upgrade wheelchair/ step-free access into the Cathedral and 2 options which improve access for ambulant disabled Cathedral users.

The options are summarised in groups below (i.e. approach from north side, from west side, from Vestry Range and from the grassy area to the east of the Vestry Range);

A- Options for wheelchair/ step-free access entered into the north side of Cathedral (Options 1,2,3,4 and 5).

All the entrances addressed in these options serve those arriving from the public car park, but not disabled people parking in the Cathedral car park or local people arriving by foot from the town centre.

Option 1 (North Transept Door) is a new path leading to a door which has not recently been used as a public entrance into the building. The entrance has narrow outer double doors, a small lobby and a single inner door with step down into the North Transept. The entrance would likely be locked and opened up by staff when needed, and enters at the wrong end of the Cathedral (North Transept). Therefore it will not be an inclusive entrance. Also, a permanent timber ramp with handrails extending about 4.5m into the North Transept will have a detrimental effect on the usability of this part of the Transept.

The next set of options all alter the existing North Porch. These are **Option 2 (North Porch lowered pathway)**, **Option 3 (North Porch raised floor and ramp)** **Option 4 (North Porch internal ramp)** and **Option 5 (North Porch internal ramp with lowered**

threshold). The porch is a 15-16th century structure (rebuilt in 1873-5) with 15-16th century outer doors and 1870's inner doors and joinery. These options either reduce levels outside, which would affect the churchyard archaeology (Option 2), alter the thresholds and leaves of the porch outer doors (Options 2,5) and/or inner doors (Options 2,3,4), install ramps which are too steep (Options 4,5) or install an internal ramp with handrails that extends across the rear of the Nave to the South Aisle (Option 3). All these options have ramps running right up to the existing porch doors without having the required level landings in front of the doors. It is my opinion that none of these options would provide an unassisted entrance for a wheelchair user through the North Porch. Both sets of doors would need to be left open, which would not be acceptable for preventing draughts and heat loss. Also, there is the issue of whether any of them would gain consent because of the major impact on the North Porch and its historic joinery.

B- Options for wheelchair access directly into the Cathedral west end

Option 7 (New West Door) creates a new entrance with draught lobby into the rear of the Nave. This entry point is equidistant from the public car park and the Cathedral car park, where disabled drivers are able to park. It will provide a gently sloping area of external paving up to a new doorway, which will be automated to provide an excellent inclusive entrance for all visitors and users of the Cathedral. It is my opinion that this is the only inclusive option which enters at a location that is easy to reach from both the car parks. It enters directly into the Cathedral itself, without the need for any external or internal ramps or steps.

Option 8 (Boiler House) uses this existing structure as an entrance lobby. From the boiler house entrance door up to the South Transept there is a change of level of approximately 260mm (2 steps), which would need to be overcome by an external ramp or a vertical rise platform lift and adjacent steps within the small interior of the boiler house. It is my opinion that, subject to a design study, this option may provide a better access solution than the current south door/ incline platform lift, but it is dependent on relocating the boiler, so may not be achievable within the timeframe of this round of grant applications.

C- Options for wheelchair access via the Vestry Range and through the existing South Aisle door into the Cathedral

Any options to have an entrance into the Cathedral through the Vestry Range feels like entering through a back-of-house area. The Vestry Range and South Aisle door is a busy route for clergy and choristers, so is unlikely to be the main entrance route for visitors and worshippers arriving for significant services or events. Therefore, none of these options are likely to provide an inclusive entrance for all to the Cathedral.

Options 9 and 10 (South Door) show ramp schemes which replace the existing incline platform lift up the two steps from the South Door. Neither provide ramps which will meet Building Regulations standards with regards to the gradient of the ramps and the requirement for level landings in front of the doors at top and bottom of the ramp slopes. Neither are acceptable access solutions.

Option 13 (Bishop's Door) provides an accessible entrance via a low status doorway into a WC lobby. It will need a substantial ramp with handrails outside the Bishop's Door running along the Vestry building façade, or alternatively a large section of gently sloping tarmac or stone paving will need to be raised up to the door. It will not be an inclusive entrance due to its entry through a low status door into an internal WC lobby space.

Options 14 and 15 (Newbuild Vestry Range Foyer) provide entrances through a new foyer building. These options are unlikely to provide an inclusive entrance due to their entry into low status internal spaces (corridor and WC lobby area) and will have a significant impact against the Grade 1 Vestry elevation.

D- Options to enter via the semi-private grassy enclosure to the east of the Vestry

Both of these options take a circuitous route around the Vestry Range and Deanery to enter via an out-of-the-way semi-private space. **Option 16 (Vestry Range East Door)** enters into the Vestry from the east side, and will need a significant ramp and door alterations, or an internal platform lift to reach the level of the Nave, all within a very small area within the Vestry Range. **Option 17 (South Aisle South East Door)** would also require a significant external ramp and door alterations to arrive at a rarely used door entering the South Aisle. Neither of these options provide an inclusive entrance to the building, and would be a very poor out-of-the way approach route for wheelchair users.

E Other access features which need to be addressed

Option 6 (North Porch handrails) Handrail/s and improved lighting are required on the existing steps within the North Porch to provide assistance for ambulant disabled people, especially if this continues to be a main public entrance into the Cathedral. They would need to be located centrally on the steps, clear of the door swings, and be removable when there is a funeral, so as not to obstruct the coffin bearers. Improved lighting and contrasting step nosings are also required.

Option 11 (South Aisle Door enlarged opening) The South Aisle door is narrow and is positioned within a thick wall without any offset at the leading edge. It is currently either left open when the Cathedral is open to the public, or staff have to open it for a wheelchair user to pass through. By widening this doorway, it would make it easier for a wheelchair to enter from the vestry unassisted. An alternative to widening the door opening is to automate the door, but the noise of the door opening may be a disturbance during a service or event.

Option 12 (South Door handrails) Handrail/s are required on the existing steps within the Vestry Wing to provide assistance for ambulant disabled people in the short term.

APPENDIX A: Legislation and Standards

The Equality Act 2010 (formerly the Disability Discrimination Act 1995/ 2005) sets out rights and duties for service providers, employers and educational institutions.

The Equality Acts defines a disabled person as ‘someone who has a physical and/or mental impairment, which has an effect on his or her ability to carry out normal day-to-day activities.’ The effect must be substantial, adverse and long-term.

Physical and mental impairment includes sensory impairments. It includes hidden impairments including, for example, mental illness.

a) EQUALITY ACT 2010

Under the Equality Act 2010 it is unlawful for service providers to treat disabled people less favourably because they are disabled. The service provider must not indirectly discriminate against a disabled person unless there is a clear reason to do so. They must also not treat a disabled person unfavourably because of something connected with their disability, unless there is a clear and fair reason. For this form of discrimination the service provider must know or should reasonably have been expected to know that the person is disabled.

A service provider must not harass a disabled person in relation to access to everyday services and there is protection from direct disability discrimination and harassment for people who are associated with a disabled person or who are wrongly believed to be disabled.

Service providers have to make reasonable adjustments for disabled people in the way they deliver their services. This is so that a disabled person is not put at a substantial disadvantage compared to non-disabled people in accessing the services.

Examples of reasonable adjustments could include:

- installing an induction loop for people who are hearing impaired
- providing disability awareness training for staff who have contact with the public
- providing larger, well-defined signage for people with impaired vision
- putting in a ramp at the entrance to a building which has steps

What is considered a reasonable adjustment for a large organisation like a bank, may be different from what is a reasonable adjustment for a small local shop. It is about what is practical in the service provider’s individual situation and what resources the business may

have. They will not be required to make adjustments that are not reasonable because they are unaffordable or impractical.

Service Providers Provisions

The duty to make reasonable adjustments under the Equality Act 2010 Service Provider Provisions is an anticipatory duty owed to disabled people at large. It is not simply a duty to individuals. The duty to make reasonable adjustments, in relation to providing auxiliary aids and overcoming physical barriers to access, applies to the areas of the property where the service is provided, and the access to these areas.

Employer Provisions

Under the Equality Act 2010 there is a duty placed on employers to make reasonable adjustments to enable disabled people to take employment. Employers must take reasonable steps to alter arrangements made, or alter any physical feature that puts a disabled person at a substantial disadvantage. The duty to make adjustments is not anticipatory but is specific to the needs of individuals. There is no requirement to make wholesale changes in anticipation.

The organisation cannot fully anticipate a disabled employee's needs, since individual disabilities vary. Our review considers the general circulation and facilities requirements for staff who may use mobility aids and other walking aids or who may have a visual or hearing impairment.

Once employment is offered to a disabled person, or an existing employee develops a disability, where this affects mobility, vision, hearing or other normal functions, his or her needs must be fully assessed. We recommend that the organisation holds confidential discussions with the individual and engage a professional access advisor to assess the need for suitable and reasonable adjustments to all work areas affected, including a personal emergency escape plan.

b) HISTORIC PROPERTIES UNDER THE EQUALITY ACT

A key issue affecting access is how to reconcile access requirements to alter physical features with conservation objectives. The Equality Act does not override conservation legislation; what is 'reasonable accommodation' must take account of the architectural and historic nature of the buildings and landscapes.

Historic England guidance 'Easy Access to Historic Properties' (issued in 2015) provides useful guidance on alterations to historic properties for access. Its access aim is to promote simple, uncomplicated movement up to, into and around historic properties. For those who can move or propel themselves independently, this should avoid their being carried, lifted or assisted in other ways. Ideally, it means using the property in the same way as everyone else in an easy dignified manner.

It is preferable to provide independent means of access to allow visitors to 'use the property in the same way as everyone else'. However, in some historic buildings and landscapes, there will be occasions when it is not possible to make the necessary physical alteration to the premises. In some cases a changed route may be the only option to avoid features such as steps. But any 'alternative route must be reasonable and not pose an undue burden.'

c) ACCESS STANDARDS

Building Regulations Part M and K

The design and construction of a new building, or the material alteration of an existing one, must comply with Building Regulations. For buildings in England and Wales, Building Regulations Part M, *Access to and Use of Buildings* and Building Regulations Part K, *Protection from Falling, collision and impact*, are intended to ensure that reasonable provision is made for people to gain access to and use buildings.

Guidance accompanying the Building Regulations (known as 'Approved Document M or K' or AD M or K) set out a number of 'provisions' as suggested ways in which the requirements of the Regulations might be met. It is unlikely to be reasonable for a service provider or employer to have to make an adjustment to a physical feature of a building which it occupies, if that feature accords with the relevant provisions of the most up to date version of AD M and K. Any works carried out under the previous versions of AD M and K are deemed to be acceptable for 10 years from the construction date under Equality Legislation.

BS 8300:2018

As the Building Regulations provide only a baseline standard of accessibility for new buildings and buildings undergoing redevelopment, a second document is essential reference when assessing the access requirements of disabled people to existing buildings and landscapes; the British Standard 8300:2018, Part II *Design of buildings and their approaches to meet the needs of disabled people – Code of Practice*.

Other Guidance

There are other 'best practice' guides, such as the Centre for Accessible Environments 'Designing for Accessibility', which gives advice concerning design issues not covered in AD M, AD K or BS8300:2018, and the Sign Design Guide, providing useful information on signage.