



HOOK PARISH COUNCIL
Chairman Amenities Area Committee
Paper for discussion by the Committee on Wednesday 25th August 2004

Disability Discrimination Act 1995

1. Background

The Disability Discrimination Act (DDA) was introduced to eliminate the discrimination that disabled people experience in their day to day lives.

The DDA seeks to provide rights in the following specific areas:-

- Employment.
- Access to goods, facilities and services.
- Selling or renting land or property.

Compliance is required by 1st October 2004 for matters of access and an action plan to address desirable improvements is to be agreed.

Compliance as required by the act is defined as follows:

Employment – The Parish must pass a resolution saying we will not discriminate against disabled persons

Access – The Parish must make reasonable adjustments to physical features so as to allow access by disabled persons to buildings, facilities etc.; The Parish should also provide equipment suitable for use by disabled people.

Selling or renting land or property – for property owned by the Parish, the Parish must make the reasonable adjustments for access as above, and must not unreasonably withhold consent for any necessary adjustments that any tenant needs to make.

The act is administered by The Disability Rights Commission who has powers to take action against those who do not comply. This includes a formal investigation, issue of improvement notices and court proceedings.

2. Recommended Action.

Resolution at a Parish Council meeting:-

Hook Parish Council accepts and supports The Disability Discrimination Act 1995. In this respect the Council will make reasonable adjustments within time and monetary constraints to ensure that in matters of employment, access to goods, facilities and services, the selling or renting of land or property that the Council shall not unlawfully discriminate against disabled persons.

3. Employment.

There are two ways in which an employer might unlawfully discriminate against a disabled employee or job applicant:-

- By treating him or her less favourably (*promotion opportunities, training or terms and conditions of employment*) without justification than other employees or job applicants because of their disability
- Or by failing to make reasonable adjustments without justification.

Declaration and acceptance of the above resolution will satisfy the statutory requirement at this time.

4. Access to goods, facilities and services.

Services includes access to or use of any premises to which the public has access; information services; facilities for entertainment and recreation and other such activities that will necessarily involve the local community and those from outside the community, using a service provided by the Council. The DDA also specifically makes reference to the services provided by a public or local authority, i.e. Parish councils.

The duty to make reasonable adjustments in service delivery is a continuing one and should therefore be kept under continual review.

The following action plan is based on advice received from Mr Marcos Frangos who is Access Manager at Hampshire County Council

4.1 Recommended Action

Review of facilities

1st meeting after AGM

Access Audit of all playgrounds by ROSPA – complete.

The following narrative is the report on Access from ROSPA dated 24th March 2004

Notes:
Short Term (ST) is defined as work to be completed, or at the minimum scheduled by 1st October 2004
Medium Term (MT) is defined as work to be scoped, if practicable and if funds are available work scheduled by October 2006
Long Term (LT) is defined as work to be scoped and if practicable and funds are available replacements to be made at the end of the life of the current equipment.

	<u>ROSPA Audit Report</u>		
<u>1. Location Hartletts Park – Proposed to be ‘destination’ and ‘visit’ accessible area</u>		The provision of a ‘destination and visit playground’ is recommended and would be best practice.	<u>Action</u>
<u>2. Junior Play Area. Site assessed as: Generally Accessible.</u>			
2.1 Sand/water play on site	Inaccessible	This means that there are facilities for disabled persons that the Parish could provide – this would be desirable	LT
2.2 Sand/water accessible for all	Inaccessible	As above	LT
<u>3. Trim Trail. Site assessed as : Partially acceptable for use by disabled persons</u>			
3.1 Accessibility of site to include paths, gates, access from road or car parks	Not acceptable	This is an issue, repeated in this report regarding the provision of drooped kerbs or ramps near the disabled bays	ST – this issue needs to be addressed
3.2 Suitable surface within play area to allow free movement	Not acceptable	This is by definition an area that has ‘limited use’ and is not the intention nor is it desirable that this be used by disabled persons. As such this is exempt from the requirements of the Act as Health and Safety issues are paramount.	No action planned
3.3 Equipment suitable for disabled children e.g. provision of ramps, double width slides etc	Not acceptable	As above	
3.4 Equipment provided specifically for disabled children with disability	Not acceptable	As above	
3.5 Ground graphics for play use	Not acceptable	As above	
3.6 Ball games facilities	Not acceptable	As above	
3.7 Range of textures/sensory objects	Not acceptable	As above	
<u>4 Timber Play Area. Site assessed as : Partially acceptable for use by disabled persons</u>			

4.1 Accessibility of site to include paths, gates, access from road or car parks	Not acceptable	Repeat of issue regarding dropped kerbs or ramps – access to the site is suitable for disabled persons	ST
4.2 Suitable surface within play area to allow free movement	Not acceptable	This shall be reviewed when the current surface needs replacement.	MT
4.3 Equipment suitable for disabled children e.g. provision of ramps, double width slides etc	Not acceptable	This means that there are facilities for disabled persons that the Parish could provide – this would be desirable	LT
4.4 Equipment provided specifically for disabled children with disability	Not acceptable	As above	LT
4.5 Ground mounted items of play	Not acceptable	As above	LT
4.6 Ground graphics for play use	Not acceptable	As above	LT
4.7 Ball games facilities	Not acceptable	As above	LT
4.8 Range of textures/sensory objects	Not acceptable	As above	LT
<u>5. Multi - Courts. Site assessed as : Partially acceptable for use by disabled persons</u>			
5.1 Accessibility of site to include paths, gates, access from road or car parks	Not acceptable	Repeat of issue regarding dropped kerbs or ramps	ST
5.2 Equipment suitable for disabled children e.g. provision of ramps, double width slides etc	Not acceptable	This is not an issue at this facility	NA
5.3 Equipment provided specifically for disabled children with disability	Not acceptable	The Parish could try to provide basketball nets at a lower level, if the facility proves suitable and the tennis nets could possibly be modified for an adjustable height facility	MT
5.4 Height of equipment suitable to allow wheelchair and user to pass underneath	Not acceptable	This is in error – there is no equipment that does not allow free movement	
Accessible grips to enable access from wheel chair to equipment	Not acceptable	This does not apply any sports play in the area would be whilst in a wheelchair	NA
5.5 Ground mounted items of play	Not acceptable	This does not apply – this would be unsuitable in the multi courts	NA
5.6 Ground graphics for play use	Not acceptable	This does not apply – this would be unsuitable in the multi courts	NA
5.7 No steep slopes or sudden changes of level	Not acceptable	This has already been addressed – however, the route to the courts could be marked to avoid further confusion.	NA
5.8 Range of textures/sensory objects	Not acceptable		NA
<u>6 Skatepark : Site assessed as : Partially for use by disabled persons</u>			

6.1 Equipment suitable for disabled children e.g. provision of ramps, double width slides etc	Not acceptable	This is by definition an area that has 'limited use' and is not the intention nor is it desirable that this be used by disabled persons. As such this is exempt from the requirements of the Act as Health and Safety issues are paramount.	NA
6.2 Equipment provided specifically for disabled children with disability	Not acceptable	As above	NA
6.3 Height of equipment suitable to allow wheelchair and user to pass underneath	Not acceptable		NA
6.4 Accessible grips to enable access from wheel chair to equipment	Not acceptable	As above	NA
6.5 Ground mounted items of play	Not acceptable	As above	NA
6.6 Ground graphics for play use	Not acceptable	As above	NA
6.7 Ball games facilities	Not acceptable	As above	NA
6.8 No steep slopes or sudden changes of level	Not acceptable	As above	NA
6.9 Range of textures/sensory objects	Not acceptable	As above	NA
<u>7. Elizabeth Hall. Site assessed as : Partially acceptable for use by disabled persons</u>			
7.1 Equipment suitable for disabled children e.g. provision of ramps, double width slides etc	Some	This means that there are facilities for disabled persons that the Parish could provide – this would be desirable	LT
7.2 Accessible grips to enable access from wheel chair to equipment	Not acceptable	As above	LT
7.3 Ground mounted items of play	Not acceptable	As above	LT
7.4 Ground graphics for play use	Not acceptable	As above	LT
7.5 Ball games facilities	Not acceptable	As above	LT
7.6 No steep slopes or sudden changes of level	Not acceptable	This does not apply to the play area that is owned and managed by the Parish	NA
7.7 Range of textures/sensory objects	Not acceptable	This means that there are facilities for disabled persons that the Parish could provide – this would be desirable	LT
<u>8. John Morgan Close. Site assessed as : Partially acceptable for use by disabled persons</u>			
8.1 Suitable surface within play area to allow free movement	Not acceptable	John Morgan Close is a little used playground that is not expected to be replaced at the end of the life of the equipment and is therefore exempt from the	NA

		requirements of the Act.	
8.2 Equipment suitable for disabled children e.g. provision of ramps, double width slides etc	Not acceptable	As above	NA
8.3 Equipment provided specifically for disabled children with disability	Not acceptable	As above	NA
8.4 Ground mounted items of play	Not acceptable	As above	NA
8.5 Ground graphics for play use	Not acceptable	As above	NA
8.6 Ball games facilities	Not acceptable	As above	NA
8.7 No steep slopes or sudden changes of level	Not acceptable	As above	NA
8.8 Range of textures/sensory objects	Not acceptable	As above	NA
9. Wellworth Park. Site assessed as : Partially acceptable for use by disabled persons			
9.1 Equipment provided specifically for disabled children with disability	Not acceptable	This means that there are facilities for disabled persons that the Parish could provide – this would be desirable	LT
9.2 Ground graphics for play use	Not acceptable	As above	LT
9.3 Ball games facilities	Not acceptable	As above	LT

5. Selling or renting land or property.

5.1 Physical alterations to premises.

Where a physical feature makes it impossible or unreasonably difficult for a disabled person to make use of its services, a Council will have to take reasonable steps to remove or alter the feature, provide a means for avoiding the feature or provide an alternative service delivery.

This applies to any and all premises owned by the Council.

A tenant is required to observe the act and the Council, if landlord, may not unreasonably withhold consent for works required under the Act , the DDA overrides the terms of the lease.

The DDA makes it unlawful when selling or letting land or property to discriminate against disabled people by way of offering less favourable terms or a refusal to sell or let because of the disability.

5.2 Action

Access Audit by Council or those renting the premises.- Complete

Hook Community Centre Ravenscroft

This is the narrative of the report that was produced for the Community Centre by Hart Access.

Areas of improvement identified:

Car park

Dropped kerbs required

Lighting criticized

Office

Wheelchair user would need help opening/shutting door

Corridor to changing rooms and toilets

Toilet / shower room.

Too small, e.g. no room for a carer, no red alarm cord, should be described as accessible to disabled users only

Ladies and Men changing Rooms and toilets.

Changing rooms and showers could be suitable for wheelchair users – with stool for sitting on and shower curtain round designated area

Toilets too small

No loop

Door to Cyber Café and Squash Courts

Outside fire exit door high step not suitable for wheelchairs without help

Suggest hand rail on one side of corridor

Help would be required making tea/coffee

Could benefit from loop

May need different chairs

Fire door to Courts – couple of steps and a sharp right hand corner

No smoke alarms

Kitchen Areas

Towel rail, disposable towels, telephone, fire blanket too high for wheelchair user

First Aid kit next to cooker

Fire extinguisher on opposite wall to phone – too heavy for wheelchair user

Main Sports Hall

Tables were behind right hand fire exit preventing the door from fully opening

Doors heavy and difficult to open

Youth Suite

Lift not wide enough for wheelchair

Disabled toilet door blocked by computer desk

Football suite

Seating – chairs with arms for the less able

No loop

Kitchen too small

Spotlight suggested

Corridor to changing rooms and toilets

Disabled toilet filled with chairs

No hand rails or seating

Netball Courts

All doors accessing have at least one step

No seating for viewing

Basket Ball

Steep footpath

No resting places, seating or lighting.

Summary and suggestions – Action Plan taken from the narrative above – Items shown as Management Plan issues will be passed to The HVCA for action

	Priority Areas identified and assessed as :	Clarification	Action
Smoke Alarms	High	H&S Issue – also system must be in place for hearing/visually impaired users	Management Plan
<u>Car park</u>			
Dropped kerbs	High	PC issue – see Audit of Hartletts Park	Action with audit of play areas
Lack of car park lighting		Report states that there is not sufficient lighting in	PC to discuss and review with

		the car park	HVCA
Keep clear of gravel/mud		Refers to the maintenance of the Car Park	PC to review
<u>Entrance and foyer</u>			
Intercom to all front doors		Report states that there needs to be an Intercom to all front doors	PC to discuss and review with HVCA
Care of weather matting		Also keep mats flush with floors	Management Plan
Regularly check lights for faults			Management Plan
Floors to be kept dry			Management Plan
Check tables do not obstruct passage by user			Management Plan
Bags kept out of the way of users			Management Plan
Chair with arms to be provided			Management Plan
<u>Changing Rooms and toilets</u>			
Disabled toilet assessed as too small – various problems		Report suggests use of shower with seat in main area and to replace existing toilet	PC to discuss and review with HVCA
No alarm cord		H&S Issue – also someone needs to be available to respond to Alarm	Management Plan
<u>Outside fire doors</u>			
Most had a step to outside		ST- Access issue – also doors need checking for weighting – need standard weight	PC to discuss and review with HVCA the possibility of ramps and directional

			signs.
Better sign posting to Cyber café and squash courts	High and Ongoing	Also make sure notices are of a height that can be easily read and notice board is well lit	Management Plan
Advise of fire drill to hearing and visually impaired users		H&S Issue	Management Plan
<u>Kitchen Areas</u>			
When necessary replace tap heads with leavers	Ongoing	This would be a desirable improvement when replacement is required	Management Plan
Check siting of towels for easy access	Ongoing		Management Plan
Check height of telephone for easy access	Ongoing		Management Plan
Advise all where to find first aid kit	Ongoing		Management Plan
Fire extinguisher should be kept where access is easy or as advised by Fire Officer	Ongoing		Management Plan
<u>Main Sports Hall</u>			
Fluorescent tape on pillars		This tape can, evidently be obtained from HCC	Management Plan
Portable loop system – to be well signposted	High	One based in office could be used as required	Management Plan
Steps outside the doors	High	Access issue - See above	
Signpost the main entrance to youth suite and lift			Management Plan
Signpost the disabled toilet			Management Plan
Signpost fire doors without steps			Management Plan
Seating could include a few seats with arm rests to help the less abled rise with ease from the chairs		See Above	
<u>Youth Suite</u>			

Signpost and advise of wheelchair lift			Management Plan
Wheelchair lift should not be used for goods		Management Plan	Management Plan
Check if need for extending width of chair lift platform	High	ST- Access issue	PC to discuss and review with HVCA.
Keep disabled toilet door and inside clear to use at all times	High		Management Plan
Keep doors and walls a contrasting colour		This would be a desirable improvement when replacement is required	Management Plan
Levered handles on doors for easier use by all		This would be a desirable improvement when replacement is required	Management Plan