



The Chartered
Institute of Logistics
and Transport

**Response by the Chartered Institute of Logistics and Transport
to the
Women and Equalities Committee
Disability and the Built Environment Inquiry**

1. The Chartered Institute of Logistics and Transport (“the Institute”) is a professional institution embracing all transport modes whose members are engaged in the provision of transport services for both passengers and freight, the management of logistics and the supply chain, transport planning, government and administration. Our principal concern is that transport policies and procedures should be effective and efficient, based on objective analysis of the issues and practical experience, and that good practice should be widely disseminated and adopted. The Institute has a number of specialist forums, a nationwide structure of locally based groups and a Public Policies Committee which considers the broad canvass of transport policy. This response has been prepared by the Accessibility and Inclusion Forum.

Effectiveness of legislation, policies and standards on accessibility and the built environment

2. Our principal interest in the built environment is focused on its enormously important role in facilitating mobility and travel, as the beginning and end point of most journeys and, yet, the source of some major difficulties for many disabled people, whether they have physical or sensory impairments, mental health issues or learning disabilities, and whether they are pedestrians or vehicle-users.
3. The effectiveness of legislation seems somewhat limited or, at best, untested, whilst we are aware of legal cases relating to the built environment insofar as they relate to the entrances to buildings, we are not aware of cases relating to the highway or to other pedestrian environments. Yet, we know from research that disabled people continue to face barriers to their movement through the built environment, such as in relation to steps, kerbs and kerb-heights, to orientation (particularly in large open spaces) and to street crossings.
4. Our understanding is that enforcement responsibilities associated with the Equality Act are divided between the EHRC and individuals who believe they have a case. This would seem to us, of itself, to mitigate against a strategic,

joined-up approach to enforcement. On the one hand, the EHRC's capacity is rather stretched and encompasses a very wide remit (extending far beyond the issue of disability), whilst on the other hand, for an individual to bring a case requires them to have both the means and the confidence to do so.

5. We believe that the Equality Impact Assessment, insofar as it serves to support the Equality Act, has a potentially useful role in the enforcement process. However, our impression is that the conduct of Equality Impact Assessments is very variable, and that they are often boiled down to being a 'box-ticking' exercise, rather than a meaningful attempt to understand equality impacts of particular actions of relevant public bodies. With a heightened awareness of the usefulness of Equality Impact Assessments and more targeted guidance on how best to conduct them, we believe they could be much more effective than they are at present.
6. Two further aspects worth mentioning here are, firstly, the role of the Equality Duty as it relates to the built environment and, secondly, the role of procurement, as it relates to projects related to the built environment. We would not profess to be experts in these aspects, but with such significant components of the built environment being the responsibility of public bodies (whether that responsibility be to build, operate and maintain or to regulate), we would anticipate that the Equality Duty and procurement processes could have a significant impact in both highlighting legislative requirements and enforcement of access legislation in general.
7. We are aware of several official guidance documents which are relevant to disability and the built environment; and comment on three of these, produced by the Department for Transport (DFT), here. Inclusive Mobility, the government's most comprehensive guidance relating to transport and the built environment, was published some 14 years ago and is increasingly recognised as being in need of a substantial overhaul and update. The quality of infrastructure varies hugely and one poor element – such as a difficult road crossing – means that the whole journey is compromised. One criticism of the Inclusive Mobility guidance is that the recommended walk distances for different categories of disabled people, indicates that the distances disabled people are typically able to walk are considerably less than what is assumed, for the purpose of designing a public transport system, about how far people will be prepared to walk to a bus stop or rail station. Failing to link up the features of the pedestrian environment with the features of the public transport system undermines the effectiveness of the guidance. Furthermore, design thinking and practices have changed over the course of the past decade and the range of engineering materials and technologies have developed considerably. Similarly, the official guidance on the use of tactile paving is almost 20 years old and the intervening period has seen developments in design thinking, in available materials and in relevant technologies, and of course changes to legislation. Therefore, there is a strong case to review and update this important piece of guidance too.

8. Thirdly, the government guidance on shared space has come in for a number of criticisms, particularly from disabled people's organisations, and the public and academic debates on the range of schemes covered by the term shared space have raged wildly in recent times. In light of the extremely mixed experience of implemented schemes, we believe it is very timely for a systematic review of experience and thinking on this subject, and for that review to then be used to update guidance in this area. In the meantime, it might be wise for such schemes to be put on hold so that they may benefit from the outcome of this review.
9. Whilst we understand there to be a strong willingness to implement guidance in relation to disability and the built environment, it is our observation that there is a huge divergence in how 'guidance' is interpreted and implemented, with a resulting lack of consistency and coherence. We believe there to be a number of explanations for this. Firstly, it is perhaps as a reflection of the concerns expressed above about the key guidance documents being (or becoming) out-dated. Secondly, perhaps it is in part because for some types of scheme there are several guidance documents which need to be referred to, rather than a more unified approach. Thirdly, existing guidance often provides detail on what to implement in idealised depictions of the built environment, without there being sufficient explanation of the reasons behind this. So, in the many non-ideal situations which designers find themselves working in, determined by the constraints of the existing built environment – for instance where there are narrow footways or unusually-sited lighting columns or traffic signals – they find themselves both unable to follow the guidance and lacking an informed rationale for achieving the desired accessibility outcome in some other way. Fourthly, guidance tends to be targeted exclusively towards those designing schemes and not at those actually implementing them 'on the ground', and so there is scope for schemes that are designed in line with the guidance but which is then not implemented as it was designed. Fifthly, local authority budgets for 'minor schemes' have been reduced substantially, widening the gulf between what is desirable and what is achievable.

Design and management of the public realm

10. Echoing a point from above, we believe that the ongoing controversies surrounding the concept of shared space, or any such public realm design which involves the removal of traditional delineators between pedestrians and vehicles (such as kerbs and controlled crossing points) and the mixing of pedestrians and vehicles in the same street space, are such that it is tempting to urge a pause in their implementation. Whilst the aspirations of such schemes gain widespread agreement, serious concerns are consistently expressed regarding the actual and perceived dangers they pose for disabled people and other vulnerable road users. As yet, there appears to be no adequate means of addressing these concerns and so it would seem highly appropriate to conduct a systematic review in order to learn the lessons from the mix of experience thus far. A pause in implementation whilst a strategic review takes place would enable future schemes to be designed in ways that properly include disabled people, though

even in the short term a greater involvement of representatives of disabled people at the design stage is likely to go some way toward alleviating concerns.

11. In relation to the management of the public realm and built environment, we would like to highlight the problems of poor maintenance and of clutter. Poor maintenance can manifest itself in a number of ways. Most importantly, there are problems created by poorly maintained footways and highways and poorly maintained trees, bushes and shrubs. Poorly maintained footways and highways lead to potholes and cracked paving that then result in uneven surfaces which make mobility for wheelchair users difficult or even impossible, and which pose tripping hazards and heightened risks of falls. Uneven surfaces also lead to pooling of water, liable to cause slipping and more general discomfort. Poorly maintained trees, bushes and shrubs lead to them becoming overgrown, encroaching across pedestrian areas, limiting space for movement and posing head-height obstacles – a particular issue for visually impaired people. Overgrown trees, bushes and shrubs can also serve to obscure natural light and artificial light provided by street-lighting, which may in turn exacerbate the potential dangers posed by potholes and cracked paving. This is becoming an even larger problem given the lack of maintenance budgets available to highway authorities.
12. Clutter in the built environment can relate to a wide range of things, including fixed items such as poles, posts and bollards, as well as moveable items such as street café furniture, advertising boards, wheelie bins and parked cars. In some places, it has become good practice to undertake audits of street clutter to identify where it is possible to remove it. In some places, it has become good practice to implement clearance of footways, e.g. by the systematic removal of advertising boards. However, the issues of wheelie bins and parked cars appear to be an ongoing problem without a ready solution, perhaps because they are bound up with individual behaviours (of bin crews and of individual motorists) and because they are so widespread as to make tackling them financially challenging. Nevertheless, a well-designed built environment can be rendered inaccessible by the random abandonment of wheelie bins and/or by the parking of cars on/across pedestrian thoroughfares, so it remains important to find mechanisms for tackling the causes of these obstructions.

The role of designers, architects and built environment specialists in ensuring accessibility and inclusivity

13. Whilst local authority Access Officers and their access consultants – particularly those engaged with the National Register of Access Consultants (NRAC) are well versed in the regulatory environment, many designers, architects and built environment specialists lack any in-depth knowledge of both the legal requirements for access and how to design and deliver it effectively. Greater emphasis is needed regarding the requirements of disabled people.

14. A requirement that accessibility laws and principles were an integral and compulsory part of professional training and qualification for all those entering these professions would be a significant step forward.

Local involvement in decision-making

15. Involving local people who use an area on a daily basis is essential to achieving workable and liveable environments.

16. However, it is vital to remember that surveys and other forms of engagement cannot just be done on-street. Many older and disabled people may have lost the confidence to go out into certain areas or streets and unless their views are also sought, bad judgements may be made about what works for a local community.

17. Seeking to engage with what might be determined “displaced” people – those who no longer have the confidence to be out and about – is not easy but can be done through collaboration with Social Services and voluntary organisations supporting older and disabled people.

Inclusive processes for involving disabled people in designing the built environment.

18. In addition to the comments above it is important to acknowledge the key role played by local authority Access Officers in ensuring that local disabled people are properly involved from the outset of the planning process. The NRAC also produces excellent guidance.

19. However, there is a risk that this expertise and local engagement will be lost in many area as local authorities cease to fund Access Officer posts.

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