

## **CABINET MEMBER FOR EDUCATION, CULTURE AND LEISURE SERVICES**

**Venue: Town Hall,  
Moorgate Street,  
Rotherham.**

**Date: Tuesday, 28 September  
2004**

**Time: 9.00 a.m.**

### **A G E N D A**

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Rotherham Learning Grid - Verbal Update (Jason Ollivent, Head of Information Systems, RBT)
4. Progress report towards compliance with the Disability Discrimination and Best Value 156 of Buildings under the control of the Culture, Leisure and Lifelong Learning Service (Nick Barnes, Principal Business Development Officer) (report herewith. (Pages 1 - 9)
5. Date and Time of Next Meeting

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

1.	<b>Meeting:</b>	<b>Cabinet Member and Advisers</b>
2.	<b>Date:</b>	<b>28<sup>th</sup> September 2004</b>
3.	<b>Title:</b>	<b>Progress towards compliance with the Disability Discrimination Act and BV156 of buildings under the control of the Culture, Leisure and Lifelong Learning Service</b>
4.	<b>Programme Area:</b>	<b>Education, Culture and Leisure</b>

**5. Summary**

An update on the progress being made in complying with BV156 and requirements of the Disability Discrimination Act (an ongoing responsibility) for buildings under the control of the Culture, Leisure and Lifelong Learning Service.

**6. Recommendations**

- (i) That the contents of this report are noted.
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## 7. Proposals and Details

The authority has various duties under the Disability Discrimination Act (DDA) 1995. Under part III which relates to physical alterations/improvements, (which is legally enforceable from 1<sup>st</sup> October this year) it is required to take reasonable steps to remove, alter or provide a reasonable means of avoiding a physical feature of council premises (ie not only buildings) which makes it impossible or unreasonably difficult for disabled people to use the services provided there. Part IV was inserted through the Special Educational Needs and Disability Act 2001 to cover education which was virtually omitted from the DDA originally. Part 4 Chapter 1 covers education in schools. Part 4 Chapter 2 covers post-16 education and related services, including the statutory youth service. It is legally enforceable from 1<sup>st</sup> September 2005.

The standard of accessibility (the scope of 'physical features') expected under the DDA (where 'reasonable') is considerably greater than under the performance indicator BV156. This measures the percentage of buildings open to the public in which all public areas are suitable for and accessible to disabled people. The Disability Rights Commission has stated that BV156 measures whether buildings meet "very minimal access standards".

The DDA duty relates to access to and use of services, whereas BV 156 sets a standard which has to be met by the whole of the public areas of a building for it to count towards compliance with the indicator.

It is not possible to reach a point of compliance with the DDA duty as the anticipatory duties under part III are continuing and evolving. What is reasonable now may not be sufficient in the future: what is not reasonable now may be in the future with sufficient time to plan, set aside funding, etc. There are therefore no 'national targets' as such.

The authority has set an internal target of 10% of the Council's public buildings being accessible / usable to disabled people in accordance with BV156 in 2004/05. Further targets have been set of 15% in 2005/06 and 20% in 2006/07. At March 2004, 115 of the council's buildings were open to the public in accordance with BV156. The agreed improvement target equates to 12 buildings to be brought up to standard in 2004/05, 18 buildings in 2005/06 and 23 buildings in 2006/07.

Actions are currently underway to address this year's 10% target at minimum cost and further improvements are being planned to current access standards. These will reflect the priorities expressed by disabled people to the council. This will be with reference to the efficient use of resources against the background of the move to a smaller, more efficient and sustainable property portfolio.

New buildings are regarded as being accessible / usable in accordance with BV156 on the basis of current Building Regulations certification. It is anticipated that the agreed 2005/06 and 2006/07 targets will be met by the new buildings already programmed, including a library, young people's centres, sports buildings and a joint service centre.

The Service is responsible for over 70 buildings. Appendix 1 (appended) lists the key buildings and identifies programmed works and levels of compliance.

**Libraries** – The Service manages 15 libraries as well as mobile facilities. Of the building stock under the control of the Culture, Leisure and Lifelong Learning Service, Libraries are currently benefiting from the most extensive programme of upgrades. Further improvements are programmed for future years.

Brinsworth Library will be rebuilt in October / November this year. Works prioritised through the Capital Strategy and Asset Review Team to address BV156 targets, along with funding through the Premises Fund potentially brings eight further buildings to compliance. These are Aston, Dinnington (only the part of the building under RMBC control), Greasbrough, Herringthorpe, Kimberworth, Kimberworth Park, Kiveton Park and Mowbray Gardens. However work at Aston Library is currently in abeyance pending the result of the Council's bid for funding for a new school at Aston Comprehensive through the Building Schools for the Future programme, which should be known by the end of 2004. Significant progress is also being made on other libraries including Swinton and Thurcroft. Progress is also being made at the Central Library and Arts Centre (though the future of the building remains to be determined), on ramps at Maltby Library, with some progress at Wath Library and minor works proposed at Rawmarsh in 2005/6.

**Youth Centres** – The Service operates from 36 facilities which range from youth and community centres including leased facilities, various projects and school based units to outdoor, residential and training facilities. Of these the focus of funding for upgrades has been targeted towards key connexions centres one of which (Bramley Bill Chafer) will reach BV156 compliance this year. Five key connexion centres are linked with the PFI renewal programme (Eastwood, Thornhill (the old centre has been closed and a new facility is provided in the new School), Winterhill, Wath and Wickersley) and are / will be addressed within the time scales of those renewal programmes. A further programme of work is being funded to address compliance issues at other centres on a priority basis. However this leaves some youth centres / key connexion centres unimproved; Catcliffe, Maltings (Scheduled for 2005/6), Parkgate, Rotherham International Centre, Swinton and Treeton.

The Longdendale Residential and Field Study Centre, is to be rebuilt during 2005/06 and will be fully compliant once it reopens.

Duties under the DDA fall on the service provider regardless of the tenure of the building. It may be therefore that where tenure is rented, the option of identifying more accessible accommodation to rent becomes attractive. An example is that of Habershon House which is leased by the Authority. Recommendations are being complied to cost up access works, ramped access, new disabled ground floor bedroom and en-suite toilet facilities. Costs for these should be available by December 2004.

**Swimming Pools and Leisure Centres** – The Service currently manages 10 facilities. It is intended that swimming pools and leisure centres will be addressed through facility development plans. Key sites in each area are to be addressed in the medium term. In the short term, cost will be a limiting factor resulting initially in 1 or 2 partly compliant sites.

**Country Parks** – Minor works are planned but there remains a significant amount to be done to comply with BV156. Funding from the Learning Disability Development Fund will be used in the near future to convert a first aid room at Rother Valley Country Park to DDA compliant changing rooms with a shower and hoist.

### **Miscellaneous Buildings**

**Clifton Park Museum** – the building reopens in autumn 2004 and it will be compliant with BV156 and current DDA requirements. The Access Liaison Group has been involved in identifying and approving actions.

**Civic Theatre** – Significant problems relate to ramps and stairs, though many other issues keep the average compliance rating down to 40 – 50%. The accessible toilet is only partly BV156 compliant because the room is too narrow.

## 8. Finance

Finance for the upgrades are currently being met through the Premises Fund and through a one off allocation from the authority for access improvements of £200,000. The total budget cost of the BV156 improvements proposed for this financial year is £98,805.

## 9. Risks and Uncertainties

Under the DDA, constant monitoring is required to ensure that buildings once they are compliant with the act, remain so. Some of the anticipated renewal programme continues to be developed though unforeseeable obstacles may yet affect this programme.

## 10. Policy and Performance Agenda Implications

Health Implications

Improves access to services

The Council's Five Political Priorities

*(a) Alignment with Corporate Plan and LSP priorities (Community Strategy and Neighbourhood Renewal Strategy).*

In line with the Council's Plan, this programme supports vulnerable people and improves life chances for all and reduces inequalities. It also improves quality of life and ensures quality and effective services.

In line with Community Strategy Objectives this programme addresses health and social inequalities, protects vulnerable people and promotes access and opportunity

*(b) Alignment/contribution to cross cutting issues of sustainable development, equalities and diversity, regeneration, and crime and disorder.*

Sustainability

Ensures a better quality of life for everyone, now and for future generations through appropriate management and long-term maintenance

The programme meets the needs and aspirations of local people by improving facilities and opportunities for disabled people

Improving facilities, access and opportunities for children and young people

Providing cultural and leisure opportunities for all by providing accessible sporting and leisure facilities and opportunities

Increasing enjoyment of and participation in arts, local culture and heritage

*Equalities and Diversity*

Works towards benefiting people with disabilities providing equal access to facilities.

Consultation with the Access Liaison Group has been carried out and will continue during elements of this process.

Regeneration

Contributes towards improving and promoting the image of Rotherham by transforming the image of Rotherham and addressing the negative views both within and outside of the Borough. It contributes towards Rotherham Town Renaissance by enhancing the role and function of the Town Centre, ensuring that it acts as a hub for social, economic and cultural activity for the wider area.

*(c) Contribution to CPA*

Contributes to achieving BV156

*(d) Link to BVPIs*

Contributes to achieving BV156

## Performance Generally

Works are prioritised corporately into programmed strategic delivery

## Performance Indicators

BV156 - The percentage of authority buildings open to the public in which all public areas are suitable for and accessible to disabled people

## **11. Background Papers and Consultation**

Access Improvements to Public Buildings, Report to the Capital Strategy and Asset Review Team. Author, Brian Messider, 6<sup>th</sup> July 2004

Building Manager, Gary Lindley

Manager - Libraries, Museums and Arts, Guy Kilminster

Community Learning and Young People's Services Manager, Rod Norton

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<b>DDA Compliance in Culture, Leisure and Lifelong Learning Buildings Position Statement at August 2004</b>			
Building	Percentage Compliant	Delivery	BV156 Compliant
<b>Youth Centres</b>			
Bramley Bill Chafer Youth and Community Centre – a key connexions centre	57.31% compliant	Approach, entrance and external ramps completed Entrance and toilet 2004/5	Works will bring the facility to compliance with BV156
Catcliffe Youth and Community Centre – a key connexions centre	No data		
Chislett Youth Centre – a key connexions centre	39.33% compliant	Entrance, reception and stairs completed – car parking planned in 2004/5	
Dalton Youth and Community Centre – a key connexions centre	48.82% compliant	Entrances and wheelchair access planned 2004/5	
Dinnington Youth Centre – a key connexions centre	54.56% compliant	Ramps, entrances and steps in 2004/5	
Eastwood Youth & Community Centre – a key connexions centre	36.43% compliant	This is linked with a PFI renewal programme and will be rebuilt in 2 years	
Kiveton Park Youth and Community Centre – a key connexions centre	37.80% compliant	External ramps / steps and entrance works 2004/5	
Maltby Linx Youth and Community Centre – a key connexions centre	51.91% compliant	Entrances, reception areas and stairs complete. Work on external doors 50% complete – balance of work during 2004/5	
Maltings Youth & Community Centre – a key connexions centre	37.14% compliant	Remedial works scheduled for 2005/6 delivery	
Old Hall / Winterhill Youth Club	31.26% compliant	This is linked with a PFI renewal programme and will be	

			refurbished 2006/7	
Parkgate Youth Centre	30.39% compliant		No work planned – to be reviewed	
Rotherham International Centre – a key connexions centre	38.77% compliant			
Swinton Youth Centre – a key connexions centre	47.86% compliant		No work planned – to be reviewed	
Thornhill	Compliant		Recently renewed through PFI renewal programme	Complies with BV156
Treeton Youth Centre	29.70% compliant		No work planned – to be reviewed	
Wath Youth and Community Centre – a key connexions centre	52.73% compliant		This is linked with a PFI renewal programme	
Wickersley Youth Centre	48.07% compliant		This is linked with a PFI renewal programme and will be rebuilt	
<b>Libraries</b>				
Aston Library	65.6% compliant		Approach, toilets and induction loops 2004/5	Works will bring the facility to compliance with BV156
Brinsworth Library	43.19% compliant		To be rebuilt Oct / Nov 2004	Works will bring the facility to compliance with BV156
Central Library & Arts Centre	58.28% compliant		Entrances being treated	
Dinnington New Library	67.72% compliant		Entrance works complete Induction loops planned in 2004/5 The areas of the building under RMBC control meet BV156	Works will bring the facility to compliance with BV156
Greasbrough Library	57.11% compliant		Ramps entrances and reception areas are complete. Induction loops planned in 2004/5	Works will bring the facility to compliance with BV156
Herringthorpe Library	72.86% compliant by year end		Approach, entrances, ramps and induction loops are planned in 2004/5	Works will bring the facility to compliance with BV156
Kimberworth Library	51.38% compliant		Entrance works and induction loops are planned in	Works will bring the



	by year end	2004/5	facility to compliance with BV156
Kimberworth Park Library	69.37% compliant by year end	Entrances and reception areas are complete. Induction loops planned 2004/5	Works will bring the facility to compliance with BV156
Kiveton Park Library	62.77% compliant by year end	Entrance works and induction loops planned in 2004/5	Works will bring the facility to compliance with BV156
Maltby Library	54.72% compliant subject to works linked with JSC being completed	Progress on ramps and entrances is linked with Joint Service Centre	
Mowbray Gardens Library	54.77% compliant	Induction loops planned for 2004/5	Works will bring the facility to compliance with BV156
Rawmarsh Library	38.19% compliant	Works proposed in 2005/6	
Swinton Library	61.32% compliant	A significant part of this programme is complete covering ramps & steps, entrances and reception areas	
Thurcroft Library	80.35% compliant	A significant part of this programme is complete covering entrances, reception areas, doors etc	
Wath Library	62.81% compliant	Entrances and reception areas have been addressed to date	
Mobile Libraries			
<b>Swimming Pools / Leisure Centres</b>			
Charles T Broughton Swimming Pool	No data		
Dinnington Swimming Pool	No data		
Herringthorpe Leisure Centre	No data	(Pool closed) Scheduled for replacement as a dry site 2007	Works will bring the facility to compliance with BV156
Maltby Sports Centre	No data	Scheduled for replacement September 2007	Works will bring the

			facility to compliance with BV156
Mowbray Gardens Pool	No data		
Oakwood Pool	No data		
Swinton Swimming Pool	No data		
Thrybergh Sports Centre	No data		
Wath Swimming Pool	No data		
Wingfield Pool	No data		
<b>Country Parks</b>			
Rother Valley Country Park	52.86% compliant		
Thrybergh Country Park	44% compliant		
Thrybergh Country Park cafe		Approach and entrance 2004/5	Works will bring the facility to compliance with BV156
Ulley Country Park	48.33% compliant		
<b>Other Buildings</b>			
Civic Theatre	55% compliant		
Clifton Park Museum	Fully compliant when reopened	Reopens late 2004	Works will bring the facility to compliance with BV156
Longdendale	Not applicable	To be rebuilt in 2005/6	Works will bring the facility to compliance with BV156