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P-03-144
28th November 2012
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WLGA • CLILC

William Powell AM
Chair – Petitions Committee
National Assembly for Wales
Cardiff Bay
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Dear William

P-03-144: Guide Dogs for the Blind petition

Thank-you for your letter of 10th October and please accept my apologies for the delay in replying. In order to provide a full answer to your letter I needed to gather information from local authorities and that has taken a little time.

I have divided the response into two sections:

- Local authorities' use of / plans for implementing shared space schemes
- Equalities issues relating to the petition (provided by my colleagues in WLGA responsible for equalities)

Use of shared space schemes

There have been a limited number of local authority projects across Wales that have incorporated elements of shared space in their design. There are, too, authorities who are considering using shared space in the future. Equally, though, there are some who have looked at the idea and decided *against* using shared space in schemes they have developed in recent years. The picture is therefore a mixed one.

However, in all cases the local authorities stressed that decisions are taken only after careful consideration, making full use of design guidance, road safety audits, discussions with local Members and community consultation. The helpful input of local Access Groups as part of scheme design was mentioned by most authorities, with Guide Dogs for the Blind themselves also noted as having contributed to the planning of a number of schemes. Social Services staff have been asked for views in some cases too. One authority referred to its staff taking part in 'Walk a mile in my shoes' with Guide Dogs for the Blind to help raise awareness and understanding of the difficulties faced by people with visual and/or mobility impairments.

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Equality Impact Assessments have been undertaken and, for larger schemes, external consultants have been employed to carry these out in some cases to ensure they were robust and independent. Authorities referred variously to a range of steps they have taken and alterations that have been made in response to feedback and these included the following:

- Some footway widening
- Prohibition of vehicles for parts of the day
- De-cluttering of street signs, posts and other features
- Careful selection of the design of street furniture
- Use of tactile paving
- Provision of above the recommended levels of parking for blue badge holders in key locations
- Use of civil parking enforcement staff to tackle inconsiderate parking
- Use of Shopmobility schemes

The authorities also referred to post scheme monitoring after works implementation to pick up any issues that might arise. The petitioners' submission identifies instances in Wales where remedial work has been undertaken, with the councils mentioned learning from the experience. Clearly, though, everyone agrees that it is best to get the design right from the outset through appropriate involvement and engagement.

It is encouraging to see that the petitioners recognise there are good examples of local authorities demonstrating willingness to take on board the concerns of disabled, blind and partially sighted people over shared spaces. WLGA are also keen to see this good practice spread across all authorities.

In these difficult financial times the number of schemes being planned has reduced substantially. However, where shared spaces are being considered as part of any such schemes investment of time and effort at the design and planning stage will outweigh any costs associated with having to undertake alterations afterwards. Indeed, the forthcoming Sustainable Development Bill is likely to assist in this process as planning for the long term, inter-generational equality and community engagement will all be central requirements

Equalities considerations

As 'public authorities', local authorities are covered by the requirements of the Equality Act 2010 and must advance equality by having due regard to its general duty. Having due regard means;

- Removing or minimising disadvantages experienced by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

Therefore, an authority would need to consider these points in relation to the development of any shared space scheme. As described above, evidence from authorities shows

examples of where they have taken steps to meet the needs of different groups when planning such schemes.

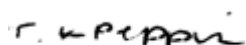
In addition to these considerations, in replacing provisions in the Disability Discrimination Act 1995, the Equality Act requires that, where a physical feature puts a disabled person at a 'substantial disadvantage' in comparison with persons who are not disabled, service providers are required to take such steps as it is reasonable to have to take to avoid the disadvantage. Each local scheme will inevitably be different; therefore any authority considering the development of such a scheme would need to work with local disability and access groups to determine the level of risk and what the appropriate adjustments would be. As outlined previously, most authorities reference the broad consultation and engagement undertaken in relation to such schemes and the helpful input of local Access Groups.

Furthermore, under the specific duties for Wales there is a requirement to 'assess impact'. Consequently, equality considerations should feature strongly in the planning, development and design of any shared space scheme helping to ensure the eventual outcome does not impact negatively on any protected characteristic group. Evidence above shows these have not only been undertaken but have had a positive influence.

Local authorities are aware of their responsibilities as set out under the Equality Act and this awareness, combined with the active involvement of local stakeholders and the consideration of equality issues throughout can help to ensure they meet both their statutory requirements and the needs of their communities.

I hope that the above information is of use to you and your Committee.

Yours sincerely



T.K. Peppin
Director of regeneration and Sustainable Development