

# Scottish Disability Equality Forum

Leading Disability Equality in Scotland

## Consultation

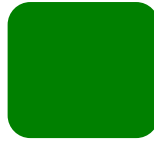
## Scottish Parliament

## Places, People and Planning

## About Us

Scottish Disability Equality Forum (SDEF) is a member-led organisation, representing individuals with any type of impairment, disability organisations, groups and individuals who share our values. We work to ensure the voice of disabled people is heard and acted upon. SDEF is involved in a wide range of work on a local and national level. We work to bring real change to the lives of disabled people, to inspire and to motivate others to be inclusive and informed in their attitudes towards disabled people and to bring the message of equality to all.

Our aim is to ensure that our members and wider public are as informed as possible about the issues affecting disabled people in Scotland. SDEF has launched a series of online 'hubs' which include information and advice on Inclusive Communication, Inclusive Design and Accessible Travel.



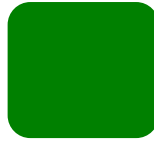
SDEF actively engages with its members so that we understand what the key issues are for disabled people in Scotland and hold events to give advice on disability and access related issues.

SDEF is also the umbrella body for the national network of Access Panels in Scotland. Access Panels can be found in all regions and are made up of groups of disabled volunteers who work together to improve physical access and wider social inclusion in their local communities. We offer support and training opportunities to help them operate efficiently, link together as a network and learn from each other.

We work to the principles of positivity, promotion, and partnership, working collaboratively with partners to promote best practice, and achieve awareness of disability equality across Scotland.

## **What SDEF did**

SDEF circulated an online survey to all members, which produced eight responses in total.



## Question 1

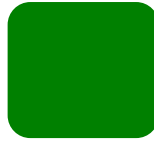
### **Should verification of building standards be extended to organisations other local authorities?**

- All agreed that verification of building standards should be extended to organisations other than local authorities. One suggested that local authorities should be monitored as there is no consistency and favouritism in building regulation standards. One respondent suggested that local authorities were notorious for being “over flexible” and not taking statutory consultees views into consideration. Another stated all organisations should be subject to verification of Building Standards, with no exceptions. There was a further comment that local authorities need to be adequately resources to ensure that they can verify that building standards have been met.

## Question 2

### **Should procedural regulations specify a minimum requirement for the inspection of ongoing building works, to ensure compliance with building standards?**

- All agreed that there should be procedural regulations, that specify a minimum requirement for the inspection of ongoing building works, to ensure compliance with building standards. One respondent suggested this should be independent. Another suggested that building standards do not normally inspect new builds and their accessibility can be as bad as listed buildings. Another suggested there should be more than a minimum standard regarding ongoing works. One other respondent suggested that local authorities should have a legal duty to inspect on a regular agreed basis, all work which is being undertaken in their area. For example, site diaries should be completed daily. It

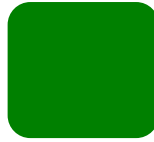


should be compulsory to have a registered Clerk of Works on every major site, with legal responsibility to complete site diaries on a daily basis. Site diaries should be available on demand to Building Control.

### Question 3

#### **Should there be a statutory system to provide redress for new home buyers whose properties are subsequently found not to meet building standards requirements?**

- All agreed that there be a statutory system to provide redress for new home buyers whose properties are subsequently found not to meet building standards requirements. Suggestions included that it should not just for the home buyer, but for residents of an area affected by any building that can demonstrate that the final build is very different to the original plan, and no formal intermediate planning adjustment applications. Another suggested it would be more effective if all new builds complied with a standard which took into account a reasonable approach to easy access and that all access issues should be included. Another stated that the current NHBC favours the builder, rather than the home buyer. One respondent suggested that there should be a statutory duty/system of redress for not only the new home buyer, but a stipulated term of time for the age of the building from new. This would prevent any dispute in the terminology “New Home buyers”. Regulation should go further and provide compensation where other work requiring a Building warrant is found not to meet the building standards.



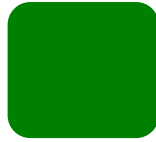
## Question 4

### **Are the current building warrant and associated fees set at the correct level?**

There were mixed views on this question. For example, one respondent agreed, another disagreed, and another stated that Planning and building warrants fees should be conjoined and, from a disability perspective, be enforceable.

Other comments included the following:

- Some local authorities lower the cost of application, resulting in a lowering of standards. This is because it was costly for local authorities who decline planning applications. The effect is that more local authorities make more money by approving applications, and now practically any building goes anywhere.
- If extra safeguards need to be put in place, more robust supervision for example, it may be the case that fees could rise accordingly.



## Question 5

### **Are there any other issues relating to the regulations which you wish to bring to the attention of the Committee?**

We received comments from seven of the eight respondents. These were mixed, and so we have reproduced them here for your information. Ensuring there is no abuse or misuse of disability spaces was mentioned by two respondents. “A specific enforceable rule that prevents misuse of a dedicated disability space (e.g accessible toilets or wheelchair spaces).”

- “Remove the “options” that allow misuse or abuse of disability regulations. Should not be optional, should be mandatory.”
- “There are times when the original plan and the final build and boundary are two different things entirely.”
- “There is a necessary and urgent need for ‘lifetime’ and homes to BS966 Standard.”
- “If repairs need done, you have to wait too long to get them done.”
- “We need to improve accessibility. We need to increase the number of wheelchair accessible homes. We need more training of architects regarding how to build in accessibility.”
- “When planning applications are submitted, there is no requirement to submit structural drawings. Planners may have no concept of “Good Practice Construction”, or a knowledge of building materials and are happy with simple drawing which depict how the project will fit into the environment. Sometimes this lead to inappropriate buildings and landscapes being constructed in the built environment.”