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Report

Subject : Guildhall – feasibility of introducing disabled access

Report to : The Cabinet

Date : Wednesday 07 November 2007

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Cabinet Member for Finance : Councillor Andrew Roberts

1. Purpose of report:

- 1.1 To consider the feasibility of introducing disabled access to the Guildhall outside the Salisbury Vision process

2. Background:

- 2.1 The Cabinet at its meeting on the 5th September 2007 requested Officers to consider if access to and within the Guildhall and compliance with the Disabled Discrimination Act could be improved in the short-term.
- 2.2 The Guildhall is an important historic Grade II* listed building in the Conservation Area and as a result of this status it will be essential to consult with and seek the approval of the Conservation Officer and English Heritage prior to commencing any works that have an effect on the fabric of the building.
- 2.3 The only street level access to the Guildhall is from Fish Row and it is on this frontage that the Tourist Information Centre (TIC) and the existing disabled access are located.
- 2.4 H M Court Service (HMCS) is responsible for the provision of accommodation for the Magistrates and is the lessee of approximately 75% of the space within the Guildhall.
- 2.5 Work on the new combined Courthouse on Wilton Road commenced in September and is scheduled for completion/occupation in the second half of 2009
- 2.6 The HMCS Guildhall lease expires in April 2010 although they can vacate within the last year of the term after giving suitable notice to coincide with occupation of the new building.



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- 2.7 The Council and HMCS have independently commissioned access audits.
- 2.8 The Guildhall currently has a complicated internal layout, multiplicity of floor levels and circulation routes.

3. Actions following Cabinet:

- 3.1 The working brief developed by Officers and the Conservation Architect is to achieve optimum access throughout the building, particularly to the upper floors, whilst keeping damage to the fabric and disturbance to the occupiers and users to a reasonable minimum.
- 3.2 The group has reviewed all the previous surveys, audits and reports to establish if anything can be done to achieve some 'quick wins', the next step has been to identify the restrictions that exist and finally to ascertain what works of a structural nature are likely to be required and assess the impact of undertaking potentially major construction activity within an occupied building.
- 3.3 The initial conclusion is that there is the possibility to carry out a small number of 'quick wins' and working with HMCS and the Magistrates Service on-site, Community Initiatives, the Conservation Officer and English Heritage it should be possible to achieve a reasonable level of service improvement by the end of March 2008.
- 3.4 These initial works are generally items that have been identified in both DDA audits referred to in 2.7 above and include an upgrade of the existing disabled WC, safety markings on the stairs and steps in Oak and Crown Courts and a replacement platform lift. Unfortunately none of these items will do anything to improve access, however they will make the building safer for a variety of disabled and less able users.
- 3.5 The restrictions and limitations that have been identified are physical, legal and regulatory and include
- The occupation by the Magistrates and TIC
 - The listed status of the building and heritage significance of some of the rooms
 - The multiplicity of floor levels and circulation routes
 - The regulatory process required to secure approval for any works that affect the internal or external architecture of the building. Ultimately Secretary of State approval may be required for the works.
 - The nature of the works required to gain access to the upper floor levels are likely to require structural changes to the fabric of the building, inevitably these will cause disturbance and be disruptive for the occupiers and users, a risk assessment will be undertaken to determine whether or not any of these works should be commenced whilst the Magistrates remain in the building.
 - Attempting to undertake construction work in an occupied building will be less attractive to potential contractors and have an adverse effect on the cost.
- 3.6 In the meantime the Conservation Architect has been commissioned to develop a number of options for the future use of the Guildhall in line with Cabinet instructions, this feasibility exercise will include improving access throughout the building and a report is expected by March 2008.
- 3.7 A review of the anticipated timescales has been undertaken to prepare a scheme on the assumption that Cabinet at its meeting in April 2008 is in a position to select a preferred option. Allow 6 months for design development and consultation and then a further 4 – 6 months for the Planning and Listed Building process. Following that would be a period for the preparation of the specification and tenders prior to construction. Assuming that Planning and Listed Building approval is obtained by March/April 2009, it will be known with a higher degree of certainty at that time when the Magistrates will be vacating the Guildhall.

4 Prescribed Consultation:

The Conservation Officer and HMCS

5 Recommendation: that Cabinet

- (1) note the report,
- (2) that Officers and the Conservation Architect will continue with the feasibility exercise including access improvements and
- (3) a further report with estimated costings will be presented to Cabinet in April 2008.

6 Background Papers:

Previous audits, surveys and reports

7 Implications:

- **Key decision** : no
- **Financial** : the short-term works referred to will be funded from an approved budget
- **Legal** : under the Disability Discrimination Act 1995 ["DDA"] it is generally unlawful to treat a disabled person less favourably than others in employment providing services or carrying out public functions. Employers and service providers must make reasonable adjustments to enable disabled people to work or access services and to ensure that disabled people are not disadvantaged because of their disability by how a public function is performed. However listed building consent will be required to carry out any works which affect the interior or exterior fabric of the Guildhall for listing purposes. Under Building Regulations Part M 1992 as amended refurbished buildings must meet minimum physical access requirements. Legal action can be taken by individuals against public authorities that fail to carry out their DDA responsibilities
- **Human Rights** : article 3 [right not to be treated in a degrading way] could be potentially engaged through extremely poor conditions and article 8 [right to respect for private life] could be potentially engaged if an individual is unable to access community facilities and in the event that either right is engaged article 14 [the right not to be discriminated against] would also be engaged. Compliance with DDA should meet any human rights obligations.
- **Personnel** : None
- **Community Safety** : None
- **Environmental** : None
- **Council's Core Values** : Provide excellent service; promote fairness and equal opportunities for all; communicate; work together.
- **Wards affected** : City Wards