

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 16 May 2006

Session 2

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EQUAL OPPORTUNITIES COMMITTEE

11th Meeting 2006, Session 2

CONVENER

*Cathy Peattie (Falkirk East) (Lab)

DEPUTY CONVENER

*Nora Radcliffe (Gordon) (LD)

COMMITTEE MEMBERS

Frances Curran (West of Scotland) (SSP)

*Marlyn Glen (North East Scotland) (Lab)

*Marilyn Livingstone (Kirkcaldy) (Lab)

*Mr Jamie McGrigor (Highlands and Islands) (Con)

*Elaine Smith (Coatbridge and Chryston) (Lab)

*John Swinburne (Central Scotland) (SSCUP)

*Ms Sandra White (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Jackie Baillie (Dumbarton) (Lab)

Ms Rosemary Byrne (South of Scotland) (SSP)

Linda Fabiani (Central Scotland) (SNP)

Patrick Harvie (Glasgow) (Green)

Mrs Nanette Milne (North East Scotland) (Con)

*attended

THE FOLLOWING GAVE EVIDENCE:

Grant Gordon (Royal Incorporation of Architects in Scotland)

Richard Hartland (Scottish Society of Directors of Planning)

Ian Herd (Scottish Building Standards Agency)

Peter Ingram-Monk (Dumfries and Galloway Access Panel)

Nick Rochford (Ross and Cromarty Access Panel)

Liz Rowlett (Scottish Disability Equality Forum)

Agnes Stewart (Aberdeen Access Panel)

Iain Strickland (Oban and District Disability Forum and Access Panel)

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Zoé Tough

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 1

Scottish Parliament

Equal Opportunities Committee

Tuesday 16 May 2006

[THE CONVENER *opened the meeting at 10:03*]

Disability Inquiry

The Convener (Cathy Peattie): Good morning and welcome to the 11th meeting in 2006 of the Equal Opportunities Committee. I remind all those present, including members of the committee, that all mobile phones should be turned off completely because they interfere with the sound system. I have apologies from Frances Curran.

At our meeting, we will deal exclusively with our disability inquiry. I am pleased to offer a warm welcome to Grant Gordon from the Royal Incorporation of Architects in Scotland, Ian Herd from the Scottish Building Standards Agency and Richard Hartland from the Scottish Society of Directors of Planning. We have a lot of material to go through this morning so we will move straight to questions, and I will start.

First, I have a general question. How clear are the various laws, regulations and guidance on accessibility to the built environment for those who have to work with them?

Ian Herd (Scottish Building Standards Agency): If you do not mind, I will start, as I represent the regulator. We believe that the regulations are clear. People have a clear responsibility to comply with building regulations and we have improved the guidance over the years to allow people better to understand their responsibilities. The regulations are the main piece of legislation with which designers have to comply.

The other piece of legislation that has a profound effect on designers is the Disability Discrimination Act 1995, which has more effect on existing buildings although it also has some influence on new buildings. We have had some requests for clarification of what owners of buildings have to do to comply with the act. In particular, we received quite a few phone calls on the matter in 2004, when part III of the act came into force, and we gave help.

The regulations and the DDA are the two pieces of legislation on which I feel competent to answer. Perhaps the other witnesses can add to that.

Grant Gordon (Royal Incorporation of Architects in Scotland): A plethora of information is available on design for disabled access.

Although the regulations are extremely helpful, they cover only a small part of what is required to allow access for disabled people. The DDA focuses on what is reasonable, so a whole bin of information is available to designers on making both existing buildings and new buildings accessible. The challenge that we face lies in making the distinction between what is mandatory and what is reasonable.

Richard Hartland (Scottish Society of Directors of Planning): There are three essential elements. First, local government officers are faced with an always changing and ever more complicated environment of regulations and advice. That can be difficult and it takes time fully to take the information on board.

Secondly, the critical relationship between planning and building standards needs to be developed further. In addition to my role in the Scottish Society of Directors of Planning, I am the manager of both development control—soon to become development management, as members know—and building standards in West Lothian. My role is to link the two and ensure that nothing slips into the gap between them. There is a greater role for the Executive—through the planning division and the Scottish Building Standards Agency—to develop and refine that relationship so that advice goes out to planning officers and building control officers who do not sit in silos but are corporate local authority employees. I think that, so far, we have probably failed to achieve that. We can certainly improve, and we need to understand the relationship better.

Thirdly—this is probably the answer to a later question—there is not much point in our trying to answer the question without asking ourselves whether we understand the nature and problems of disability. That is a fundamental question, and there is work to be done on that as well.

The Convener: Yes. I think that the committee will want to examine that issue.

How clear to those who are involved in the relevant planning and development processes are the lines of responsibility for ensuring that accessibility considerations are included? The committee has been around the country to meet disabled people and organisations that work with them and they told us that accessibility is a problem, even in new buildings.

Grant Gordon: I agree with that. I sit on the Edinburgh access panel, which looks at applications that come through planning and building control, and I agree that there might be a chasm between the two disciplines. I am annoyed and upset and I sometimes despair about the lack of sensitivity that is shown in applications, even those for new buildings. We hope to be able to

increase teaching capacity for students of architecture so that the next generation will be more sensitive to the needs of disabled people. Because wheelchair access is a visual thing, we can relate to it more easily than we can to people who have sensory disabilities. That represents a challenge for us.

Ian Herd: I can respond from the perspective of building regulations. There has always been a statutory duty on the owners of new buildings to comply with the building regulations, and the most recent legislation has reinforced that. We consistently upgrade our regulations to improve buildings' accessibility. Under the new system, we can promote accessibility issues in the guidance that we give, whereas the old system did not allow us to do that. We can give advice on the various bits of legislation that designers should take note of when they design buildings. We hope that they will take that on board and go beyond the requirements of the building regulations.

Richard Hartland: We have yet to work out the right balance between the implications of the requirements of disability discrimination legislation—and the guidance that goes with it—and the aspirations of modern design. Those aspirations are about achieving quality design, which we have probably failed to achieve in the past 20 to 25 years. Accommodating access issues is a bit like building safety into a design—the result is that we end up with something bland that might work in some respects, but which does not capture the imagination or the spirit of what we are trying to achieve through quality design.

The conflict between planning and building standards is epitomised by the way in which we sometimes adapt and modernise listed buildings. On the one hand, there is a demand to provide a facility but, on the other, the listed building purists among us do not want the work to happen because it might affect the character of the building. The result is that a compromise or a political decision has to be made. That brings me back to the need for a better mesh between the two disciplines.

The Convener: What contact would you expect to have with local authority access officers and how successful are they in promoting accessibility?

Grant Gordon: There are more than 30 access officers in Scotland, who work with different local authorities. The Royal Incorporation of Architects in Scotland has six local chapters: Aberdeen, Inverness, Stirling, Dundee, Edinburgh and Glasgow. We would expect each local chapter to liaise directly with the local access officer in the appropriate area.

Ian Herd: In the Scottish Building Standards Agency, we do not have direct contact with local access officers, but the vast majority of them are building standards officers, so we deal with them in that capacity.

The Convener: Please do not feel that you must answer every question. You need reply only if there is an issue that you want to raise.

To what extent are disability issues covered in your professional training and/or your continuing professional development?

Grant Gordon: Could that question be for me, perhaps?

The Convener: In spite of what I just said, it is probably for all the panellists.

Grant Gordon: For some years, the Disability Rights Commission and the Scottish schools of architecture have been trying to establish ways of integrating accessible design into the undergraduate teaching programme. The RIAS continues to offer seminars and continuing professional development on disability access issues.

In practice, schools of architecture call in experts from time to time to speak to students throughout their seven-year course. I would like teachers to be taught the subject, so that it becomes an inherent part of design, rather than something that is bought in for a week per year. However, the implications of the agenda and of the funding to which universities must adhere mean that it is not easy for them to integrate accessible design teaching for teachers.

10:15

The Convener: Surely ensuring that buildings are accessible for everyone is an integral part of what architects do.

Grant Gordon: I agree.

Richard Hartland: Too often, continuing professional development is considered to be an add-on. Too often, we count CPD hours just to ensure that we maintain our professional membership; we have not focused on what we need to do to deliver the job. Therefore, I do not rely on CPD as the development tool. My council considers other mechanisms, in which I firmly believe. We have used the investors in people standard, which is a badge, but if we analyse that standard—we now call it performance review and personal development planning—we find that it means the training that staff need to do to deliver their job to the public. We can go on certain courses only—no others are available—and we need to find the training and learning opportunities that allow us to understand the issues in respect of

people with disabilities and the solutions to those issues. We have still to develop that.

The Convener: We have heard that some of the best disability awareness training comes from people who are disabled. Is there a vehicle that would allow people with disabilities to be involved in the training that you are talking about?

Richard Hartland: I have taken my building standards teams and my development control team through disability awareness training that was provided by an excellent company. My staff came out of the training with a genuinely better understanding of problems and difficulties. It opened their eyes.

The training was not about looking at a wheelchair. A practical exercise was undertaken in County Buildings in Linlithgow. People were asked to sit in a wheelchair and then make a call from a public telephone box—they were not given the money to do that. The person in the wheelchair had to manoeuvre themselves and the problems hit home quickly.

The training also simulated the difficulties of visual and hearing impairment and allowed staff to understand practically what they meant, even to the level of beginning to appreciate that some people with a visual impairment prefer to read print on different-coloured paper. Such information is fundamental; if such documents are not provided at reception facilities, we have lost already. Another issue is moving notices to people's eye level. If anyone who enters West Lothian Council's reception wonders who on earth designed it, they should know that we designed it to accommodate people with disabilities and to allow better access to information. That was a big success for us, but we had to find our own training. No institute provided it to us—we had to find it because we needed it.

The Convener: It is good that you found training, although many disabled people do not like the idea of training that provides people with the opportunity to sit in a wheelchair and imagine what that might be like; they feel that the scope of training should be much wider. However, I was at West Lothian Council's building yesterday and I was quite impressed by the disabled access.

Grant Gordon: I know that some disabled people do not like us to simulate their disability—which we cannot really do, of course—but I tried sitting in a wheelchair and moving around on coir matting and, because of something as simple as that, we no longer specify coir matting. Most members of the Edinburgh access panel think that we should try to experience what disabled people experience as closely as we can.

Ms Sandra White (Glasgow) (SNP): I want to ask about wheelchair access and other disabilities,

which you have already mentioned. Many witnesses have said that there is a tendency to look at accessibility only in terms of accessibility for wheelchair users. To what extent do you think that wider issues relating to accessibility are understood, and do you think that the forthcoming disability equality duty on the public sector will increase the awareness of and the attention that is paid to access issues in planning development for the built environment?

Grant Gordon: Awareness of other disabilities apart from those that require the use of wheelchairs is poor; we cannot understand fully the needs of disabled people unless we are deaf or blind or have one of the other disabilities. We can get that understanding only at second hand, from people who have those disabilities. I am not terribly sure whether the new regulations will do a lot to help. Reasonable is the word that always sticks in the craw, I think. Unless the legislators and designers are totally aware of what is required, we will always find it difficult to match everybody's expectations. The DDA is low-level legislation and has been superseded by almost all the other legislation that you guys have in mind.

The Convener: We have in mind lots of recommendations to change things.

Ian Herd: The building regulations are striving to improve the guidance on accessibility and inclusion for all. Since we first introduced regulations back in 1985, we have been working to improve accessibility for all, and now that we are providing guidance we can dramatically improve designers' understanding and awareness of the accessibility needs of people with other disabilities as well as those of wheelchair users. I hope that that will, in turn, raise awareness more generally.

Richard Hartland: A marriage has to be developed between regulation and understanding. We drive at regulations and I suspect that we implement them without understanding. That is a theme of what I have said and probably of what I will continue to say.

Ms White: Perhaps, as you have said, the DDA needs a few more teeth and some things will need to be made statutory. Thank you for your evidence on that.

I have a question about understanding, which Mr Hartland mentioned when he was asked by the convener about disability awareness training for staff. How much consultation do your departments carry out with disabled people and with organisations representing disabled people?

Richard Hartland: That is fairly fundamental to the whole exercise of bringing about change and improvement. One of the basic themes of the Planning etc (Scotland) Bill is increased inclusion in the process. I think that there should be

increased inclusion in the whole process, including the building regulations, and we have talked about professional staff implementing change and about making access officers professional staff. We need to do that, and I hope that I am now well along the road of developing a relationship with people who have disabilities themselves.

Disability West Lothian has for some time now been a consultee on planning applications that are largely in the public realm. That is not necessarily so with individual houses, of course, but Almondvale phase 2 is a good example of a development on which we consulted the organisation from the outset. In phase 3, we are going to ask for—this is a fairly crude term, and I suspect that we will refine it—a disability impact assessment. In other words, the designers need to examine every aspect of the development from various disability points of view.

Disability West Lothian was also involved in a snagging exercise, which was another valuable thing in the Almondvale phase 2 project. We asked people from the organisation to go with us through the building before it was finished so that they could point out all the difficulties that they foresaw. Obviously, we could not change fundamentals at that stage, but we could fix matters of detail, such as putting signs at the right height and ensuring that surfaces for pedestrian and wheelchair movement were properly defined and identified. Such commonsense changes almost screamed at us, but for planners and building controllers common sense can be a last resort.

Grant Gordon: We have, I think, great difficulty in persuading people that this is worth doing. Often, it is almost an option. It is relatively straightforward to comply with the current building regulations—I hope that they will be a lot better next year—but the regulations concentrate almost exclusively on wheelchair access, albeit that they incorporate some sensory rules. However, most designers and architects are visually trained. Unfortunately, if they cannot see it, they tend not to do it or be aware of it. We need constant prodding beyond the requirements of the building regulations. The DDA prods us in the right direction, but we need to know where to look, and what questions to ask, to get the answers. The real difficulty is knowing what questions to ask. We need a lot more educating, I think.

Ms White: My question was about engagement with disabled groups and disabled people. Perhaps if such engagement took place, you would get the answers without needing to be prodded by the DDA.

Grant Gordon: That is true, but it is also true that, although I can ask the person in a wheelchair about the problems that wheelchair users face, the

person in the wheelchair will have no greater understanding than me of the problems that blind people face. The DDA now encapsulates such a broad range of disabilities that it will be impossible to satisfy everybody, and we know that; we just need to be reasonable.

Ms White: I want to respond to that, but I will first allow Mr Herd to answer the question.

Ian Herd: At present, our new guidance on access to buildings is out to consultation. That process has involved extensive consultation with groups and individuals. My colleagues have been involved in committees down south on the development of guidance documents on accessibility for England and Wales. We have also been involved in a British Standards Institute committee on the development of BS 8300, which is a standard for the accessibility of buildings. We have had extensive discussions with members of the DRC, the Scottish Disability Equality Forum and the Mobility and Access Committee for Scotland. We tend to meet individuals at meetings, presentations and seminars and we network with them to get help.

Ms White: Further to what Mr Gordon said, given that the other two professional groups seem to be able to network with disabled people and be involved in outreach towards them, does he not think that his organisation would benefit from speaking to disabled people? That need not mean speaking to just one or two individual disabled persons, as there are plenty of groups and organisations from which it would be possible to get feedback on what disabled people want. Such feedback would not be from people who had just one particular type of disability, as he said.

10:30

Grant Gordon: The two schools of architecture in Edinburgh have arranged for members of the Edinburgh access panel to visit them for a day at a time so that students could have a chance to meet disabled people and to find out that they do not need to ask someone else whether, for example, a disabled person takes sugar. It is very important that architects appreciate that disabled people are just like the rest of us.

For instance, one of the schools of architecture arranged to make three parking spaces available for some disabled visitors, but when they arrived, they found that the janitors had put pallets on the parking spaces so that no one else could use them. There is therefore a dichotomy between what is designed or requested, or what is in the legislation, and the building users' or managers' understanding of what is required.

For example, in planning advice note 78—we might come on to talk about that—there is a

photograph of the electronic access doors of the Queen's gallery. However, the gallery itself will accept only one wheelchair user at a time. That is not noted on the website, which says that the gallery is accessible, and it is. One of the difficulties is that we can get wheelchair users into buildings relatively easily, but it is rather difficult to get them out again in the event of an emergency. The managers and users of the building are responsible for that and sometimes too stringent a view is taken, with health and safety often superseding the Disability Discrimination Act 2005.

Ms White: We might come back to talk about architects, the monitoring of staff training and so on.

You talked about legislation. What impact, if any, does the Executive's planning and building standards advice note on inclusive design have on the work that you do?

Grant Gordon: Is that the one on targeting public access?

Ms White: Yes. It is dated 1 March.

Grant Gordon: I do not think that it will make much difference to the work that we do because we concentrate mostly on buildings. It will have a greater impact on the infrastructure between buildings. As you will all know, there is a very elegant, glass lift that gets disabled people into Bute House. The difficulty there is in getting on to the pavement at Charlotte Square, which is almost impossible.

Moving around our towns and cities is more difficult. As transport becomes more accessible, we will have to be able to move around the infrastructure to reach buildings that are themselves accessible.

Ms White: You do not think that PAN 78 will impact on the architectural work that you do, but that it will impact on joining up—

Grant Gordon: I think so. I think that PAN 78 is more of a management issue than a buildings issue.

Ian Herd: I hope that PAN 78 will have a fairly fundamental influence on developers and designers so that they can take an inclusive view of accessibility right from the inception of a contract rather than just considering the issue to comply with the building regulations when they get down to looking at a specific building. The whole point of the planning advice note is that it requires or encourages developers and designers to take a more fundamental view of accessibility in buildings right from the start.

Ms White: So it will have an effect.

Ian Herd: I hope that it will. That is what Richard Hartland is saying: there has been little dialogue

between architects and planners, and we hope that this is the start of better communication between them.

Richard Hartland: I would be very disappointed to think of PAN 78 as a new document. If we are not picking up its implications and requirements, we are not doing our jobs properly. It is welcome because it provides a focus and will allow the professions to translate that focus and message for a wider audience, such as the designers and users of facilities. That is quite critical.

PAN 78 will also help to promote a better understanding between the disciplines so that we do not think in silos. As a result, a planner will not think, "I'll consider the planning aspects and other people will consider other aspects." Instead, they will consider whether something works in a building standards context as well as in a planning context, and vice versa. Various disciplines—not only two—are involved.

Nora Radcliffe (Gordon) (LD): I have an observation to make on PAN 78. What you said about its content was good, but the document is not very accessible to someone with a visual impairment. Perhaps that should have been thought about.

Ian Herd: I agree that PAN 78 is a fancy document, but there is another document that is available in hard copy for people with visual impairments.

Nora Radcliffe: That is comforting. When we received our copies of the document, its inaccessibility immediately leapt to the eye.

Elaine Smith (Coatbridge and Chryston) (Lab): It seems to me from the responses to the questions that have been asked that one of the main challenges that your organisations face is communicating adequately with one another. It was said that PAN 78 might help such communication. Are there other challenges? Leaving aside PAN 78, how might communication be improved? Perhaps Richard Hartland will answer those questions first, because he was clear that even communication within authorities—he talked about communication between planners and building control people—is not as good as it should be.

Richard Hartland: It will possibly never be as good as it should be, but making it as good as we can is part and parcel of our jobs. Tools such as PAN 78 certainly help to promote communication and give a bit more spine to what we do.

Planners aspire to better design. Not many planning applications were refused on the ground of design until we got documents such as "Designing Places: A Policy Statement for Scotland". I see PAN 78 as having much the same

function. One can say to colleagues, "Yes, that might meet regulations and tick boxes," but the spirit of getting better-quality environments and designs comes through in PAN 78. Perhaps it was produced so that it could be waved in faces, which we need to do.

Elaine Smith: Is a lead from the Scottish Executive hugely important?

Richard Hartland: The Scottish Executive, Jim Mackinnon and his staff are giving a lead, but I would like the Executive to go beyond giving a lead. We should work in partnership and say what we need, because we are at the coalface. We should not sit in county halls waiting for documents to be imposed on us.

Elaine Smith: How would that be done? Are you talking about having meetings?

Richard Hartland: Jim Mackinnon and his predecessor set up heads of planning meetings at which various topical issues are discussed. There will be one such meeting in Orkney at the beginning of next month—we are trying to take meetings around the country to rationalise travel. That approach is bearing a lot of fruit.

The Executive has come to know what we need as a result of successful input into the Planning etc (Scotland) Bill. We are delivering the service at the coalface, as I said, and—to mix a metaphor—we must feed ideas back and forward. That is part and parcel of a working partnership that involves planning people, building standards people and the Executive. The Executive must understand what we need and we must understand what the Executive can help us to deliver.

I would like to reflect on the economics of the development industry, which local authorities are not necessarily good at understanding. Planners might know what they want but they do not quite understand how it can be achieved in terms of costs and revamping things. That is partly why the planning profession is perceived—sometimes with justification—as holding up the development industry in Scotland. I do not believe that that is the case across the board, but I think that people who work in planning and building standards need to have a better understanding of the dynamics of the building industry.

Elaine Smith: Does the building industry need to have a better understanding of the dynamics of what is required in delivering physical access? Perhaps that would help to speed things up too.

Richard Hartland: That is critical. My observation, which I have made before, is that one of the spines of the Planning etc (Scotland) Bill is to ensure a better understanding between the various players. I am sure that all the planners stood back and said, "That is the developers'

responsibility"; all the developers stood back and said, "That is the planners' responsibility"; and the public stood back and said, "That is everybody else's responsibility." We have not got together to understand all our aspirations. The bill will help us to do that, then we can make progress.

Elaine Smith: Mr Gordon, you spoke earlier about what is mandatory and what is reasonable. Will you expand on that? One of the comments that we received was that we should strive for more than the minimum requirements in new buildings. When I visited a recently upgraded community centre it amazed me that someone planned a whole new entrance so that wheelchair users could get in, but they could not get any further once they were in. It astonishes me that someone drew up such plans.

Grant Gordon: It should astonish me too but, unfortunately, that happens all too frequently. It happens when there is a lack of thought and when the people who draw up the plans fail to put themselves in the place of a disabled person travelling through the building.

The building process is dynamic; it is never static. Although some developments satisfy the major components of the DDA on paper, things can change after they are built. In Tollcross in Edinburgh, developers decided to split a fairly large office building into units, because it had been empty for a long time. They managed to let it, but only the main entrance of the building was accessible. The process changes, depending on economies of scale or finance. We have to be aware that developers' primary consideration is not necessarily access. Planners and building control departments have great difficulty keeping tabs on changes after buildings get their original completion certificate and satisfy the planning conditions.

Elaine Smith: What did you mean when you talked about what was mandatory and what was reasonable? Do you think that what is reasonable is way beyond what is mandatory?

Grant Gordon: Yes. The building regulations refer to BS 8300, which it is not mandatory to adopt, but it is good practice to do so. I am striving to encourage people to design with good practice in mind, but that goes way beyond what the regulations require.

Marilyn Livingstone (Kirkcaldy) (Lab): My questions are for Ian Herd of the Scottish Building Standards Agency. As an executive agency, how do you ensure that equality considerations are mainstreamed in your work?

Ian Herd: We have been working constantly for some time to improve guidance to cover accessibility for all and to improve inclusiveness within buildings. In 1985, we introduced

requirements for accessibility in buildings. A specific section in the building regulations covered accessibility for disabled people. As a result of our work on that and because of a change in thought processes and policies, the separate provision was removed from the building regulations in 2000 and the requirements were interspersed throughout the regulations. There is no specific requirement that relates to people with disabilities; the building regulations now promote inclusive design for everyone. Unless there is a specific design need, we do not refer to disabled people as such. We are trying to remove the language about disabled people and include in the guidance language about accessibility for all and inclusiveness. We hope that that will engender in designers and the public the better idea that disabled people are not separate from the general public.

10:45

Marilyn Livingstone: Do you have any way of monitoring the success of that?

Ian Herd: We do not have any way of monitoring that, other than speaking to architects and designers who work with the system. The vast majority of people to whom we speak prefer that system. A few people have asked us specifically for information on the regulations that relate to facilities for disabled people, but we say that we do not have such regulations and that buildings should be designed for everyone. We hope that we can change perspectives through the way in which we present our guidance and building regulations.

Marilyn Livingstone: You talked about the review of building standards on accessibility and the use of buildings. You said that you have carried out a comprehensive consultation with disabled people's organisations such as the Mobility and Access Committee for Scotland and the Disability Rights Commission. What stage is the review at and when do you expect it to be completed?

Ian Herd: The proposals are out to consultation. The process will finish in about a week and a half—toward the end of this month—after which we will have about two and a half months to consider the responses and to present them to the working party that we set up. The proposed standards will have to go to Europe for three months and the regulations will be laid in Parliament—they have to sit there for the statutory 40 days. We can then offer the standards to the publishers for publication. It is intended that the new guidance and regulations will be published early in 2007 to give a three-month transitional period before they come into force on 1 May 2007.

Marilyn Livingstone: We have heard that it is common for people to comply with only the minimum standards. This may be asking you to second-guess the outcome of the review but, in your opinion, is the intention to increase the minimum requirements?

Ian Herd: Absolutely. The proposals contain huge steps forward. By their nature, the building regulations become minimum standards—what they stipulate will be the minimum. Several extensive improvements are proposed. We cannot envisage that they will not be introduced and we look forward to getting positive feedback on our proposals. Accessibility will be greatly improved. For example, at present, there is no requirement to provide access to certain small areas of upper levels of buildings. However, the new regulations will require the vast majority of buildings—other than specified areas such as plant rooms—to be accessible to disabled people. That will be a big step forward.

John Swinburne (Central Scotland) (SSCUP):

What role is there for the Scottish Building Standards Agency in encouraging local authority building control officers, owners and developers to exceed the minimum requirements? You have hinted at that in earlier responses.

Ian Herd: There is only the requirement that designers comply with the building regulations. In our guidance, we explain that there are other pieces of legislation—especially the DDA—that require designers to go beyond the requirements of the building regulations. How far the designer goes is up to the client and how much he wishes to spend. I presume that, in instructing his designer to design, he has to stick within budgets.

John Swinburne: In the hard commercial world, what muscle does your organisation have to enforce the regulations when builders cut corners and do not fully implement what you require of them?

Ian Herd: We do not have an enforcement remit. The local authorities enforce the building regulations, so it is up to them. We do not have a remit to require builders to build beyond the building regulations.

John Swinburne: Do you have a remit to contact local authorities to highlight the fact that builders have not met the requirements?

Ian Herd: We talk to building standards officers every day. They have the power to enforce the building regulations. They can encourage designers and contractors to go beyond the building regulations, but they do not have any enforcement powers to require them to do so.

John Swinburne: Are there any mechanisms in place whereby the Scottish Building Standards

Agency can monitor the consistency with which local authorities ensure compliance with accessibility requirements and standards?

Ian Herd: We talk to building standards officers every day, and we also have three meetings a year with building standards officers at which we discuss technical issues. The Building (Scotland) Act 2003 introduced a requirement for local authorities to be audited, so we can look at some of their processes. It also allows us to give our view when there is doubt in a local authority as to whether an application complies with building standards. Our view is published on our website. We hope that that encourages local authorities to consider the intention behind the regulations and guidance in the first place.

Richard Hartland: I note and, to a great extent, welcome the Executive's and other agencies' aspirations to monitor the performance of local authorities, but it is fundamental that local authorities monitor their own performance. In that way, the staff will—if they are managed properly—feel that they have ownership of what they are trying to achieve, whether that is the bottom line of complying with the regulations or going further to achieve better quality. That ownership is fundamental and it will not be achieved by somebody else looking over their shoulder; it will be achieved through the people who are doing the work understanding what they want to achieve. The satisfaction that that can give can be more inspirational than someone telling them that they have or have not passed.

That raises the question of resources. Inevitably, one of the responses will be that there are resource difficulties in local authorities' monitoring themselves. However, it is fundamental that they do that.

Grant Gordon: I think that only society will make us do more than the minimum. It is no surprise that the most accessible buildings are supermarkets. We try to tell our clients that the spending power of disabled people is enormous. A building that is accessible for wheelchair users is also accessible for people who have buggies and other encumbrances. It makes financial sense to make buildings accessible.

Nora Radcliffe: What guidance does the RIAS provide to its members on access for disabled people? What requests for assistance does the organisation receive from its members?

Grant Gordon: We provide a quarterly practice bulletin to our members, which covers access and new legislation. All our members should be aware of new legislation as it comes into force. We also highlight good practice. However, it is for local authorities and designers to persuade their clients

to enhance the basic requirements, for the reasons that we have discussed.

If we are asked for guidance, we point the person who made the request towards the most appropriate source of information, which in the first instance is often the Disability Rights Commission website. A huge amount of information is available and websites enable us to access it. We have to know which questions to ask and where to find the answers. The answers can be found, but sometimes they are conflicting, which means that we have to take a view. We do not provide information on access issues, because so much information is available. I think that almost every local authority in the country publishes information on access—perhaps that is the best source of some of the information.

Nora Radcliffe: Are you saying that the information is in the public domain and it is up to people to avail themselves of instructive material?

Grant Gordon: Yes. The building regulations refer to BS 8300, which costs £125 or £200—or something like that—so many architects' practices cannot afford to buy it. It is not available on the web. However, it contains all the information one needs on designing accessible buildings.

Nora Radcliffe: I am slightly taken aback to hear that an architect's practice cannot afford to pay £20 for a basic—

Grant Gordon: It costs about £120 or £200—

Nora Radcliffe: For how long has BS 8300 been valid?

Grant Gordon: It has been valid for four years, but it is out of date, so it has been upgraded—

Nora Radcliffe: That suggests that architects would have to pay about £30 a year to have that information.

Grant Gordon: Yes.

Nora Radcliffe: I am taken aback.

Richard Hartland: I do not think that people throughout the country appreciate that the vast majority of design work—with the exception of the major projects—is not done by architects. The vast majority of planning applications and building warrants that I receive in West Lothian are prepared not by architects but by people such as architectural technicians. They have basic skill in designing buildings or extensions that meet building regulations and other standards, but they are distinctly lacking in flair and design awareness. They lack awareness about integrating new features into existing buildings or environments—we must break the back of that, too.

Nora Radcliffe: It is useful to be reminded of that. It is a whole other issue, but it is not for us to deal with it at the moment.

To what extent is cost a limiting factor in providing accessibility to clients' buildings at the best-practice level?

11:00

Grant Gordon: It is obviously a big factor. If you are asking whether it is a factor in best practice, I have to say that it is. Space is important for complying with best-practice disabled access, and space costs money. Also, if it is possible to get away without providing hearing loops or other facilities, a lot of people will do it.

Nora Radcliffe: How confident are you that your members are building in accessibility from the initial concept through to detailed planning? It might take a lot of the cost out if you dealt with it in that way.

Grant Gordon: You are asking about including the disability ratio at the beginning.

Nora Radcliffe: Yes.

Grant Gordon: That should be a given. As I said earlier, designing for disabled access should be part of the ethos of teaching architecture; it should not be an add-on. Architects should not be thinking about how they can do it for the least cost.

Nora Radcliffe: Yes, it should not be a case of saying, "I have designed this beautiful building; now how do I make it accessible?"

Grant Gordon: It goes right from how somebody finds the entrance to a building from where they are dropped off to whether they can see where the lifts are and reach the buttons on them. That is all part of the design process and no one part is more important than the other. God is often in the detail, when it comes to design.

Nora Radcliffe: How much of a relationship do you have with the Scottish Building Standards Agency in developing building standards? Is there good cross-fertilisation?

Grant Gordon: There is an excellent relationship and constant dialogue between the two organisations, especially at the moment, as changes are being examined to determine how effective they might be. We are critical of the changes as well as congratulatory of them.

Ian Herd: The SBSA's working party includes a member of the RIAS and a building technologist. We have dialogue with the RIAS at all stages in developing the new guidance.

Marlyn Glen (North East Scotland) (Lab): Planning advice note 78 on inclusive design, which we have mentioned already, states:

"Many planning officers have a general lack of awareness of the law, and doubts over the respective roles of planning and building standards in promoting inclusive design."

Do you agree with that statement? If so, how should the situation be addressed?

Richard Hartland: Broadly speaking, it is probably true. There needs to be a better understanding of real need and of how we can work with others to ensure that it is provided for. One of the difficulties with managing the teams that I manage is that we live in an environment of constant change. It is difficult to integrate the constant new legislation and advice into the operation of teams that are, inevitably, extremely busy and are rightly trying to achieve not only their own performance standards but standards that others demand.

There never seems to be the opportunity to stand back. There is no TTT—by that I mean time to think—in local authorities any more, unless we make it. We need to manage the system so that there is time to think about the skills that we need and how to develop them. We need mechanisms to be able to do that. In our case, the IIP mechanism has proved to be productive. Without being smug, I am quite happy that we in West Lothian have a good approach—or at least a better approach—to the requirements, which is why I say that the contents of the planning document are not news; they are a catch-up and a summary. Perhaps that is not the case throughout the country, however.

Marlyn Glen: The committee is keen to show and share best practice. The TTT idea is—

Richard Hartland: Can I give you an example of that? I took the development control team through charter mark, which I am pleased about. The charter mark is a recognition of the highest-quality service delivery. An exacting part of that is how we accommodate people with disabilities, in our service as well as with regard to the end product of buildings. We took advice, we went on training courses, we thought long and hard about how to provide our service and we passed.

One criticism that we must deal with, however, is that we did not have regard to those with learning difficulties. We had never thought about it; it had to be pointed out to us. Next time round, we will work on that. Indeed, we are currently working on it. We never had the opportunity to stand back and reflect on that until it was pointed out to us by another party.

Marlyn Glen: So it is a learning process.

Mr Jamie McGrigor (Highlands and Islands) (Con): On your comment about lift buttons, Mr Gordon, would you say that, in future, there will be no need to have electronic sockets, light switches

or lift buttons at the old height, which we might call the enabled height? From now on in new build should such fittings always be at a level at which people in wheelchairs can reach them? Is there any need to have them in any other position?

Grant Gordon: I cannot think of any instance in which that might be required. In other words, I agree with you. There is no reason why all such fittings should not be at a height that is accessible to everybody—although I might have missed an obvious situation that we have not thought about.

Marlyn Glen: The advice note on inclusive design states on page 7 that one of the circumstances that can lead to buildings lacking inclusive principles is

“Development plans which contain few, if any, requirements relating to inclusive design.”

What more can be done at the local level to ensure that accessibility criteria are addressed in local development plans, supplementary guidance and individual planning applications?

Richard Hartland: Other current advice suggests to us that our development plans, structure plans and local plans should be much more concise. At the same time, they have to be all things to all people. There has been criticism of one development plan, and the Scottish Executive's chief planner has quoted it on a number of occasions.

A local plan might refer to 50 policies on soil, which is perhaps not necessary. Perhaps we do not need a raft of policies on inclusive design either. Instead, we could simply say that future development will need to accommodate the requirements. If we had something as simple as that in place, we could fall back on it for any appeal statement or assessment of a planning application.

I am sorry; I have not put that very well, but I think that you get my gist.

Marlyn Glen: Yes I do, thank you.

How often do you recommend that developers employ the services of access consultants to provide expert advice on accessibility issues?

Richard Hartland: I am not sure that the question is how often; rather, it is in what circumstances, which should be those that involve larger-scale buildings to which the public will have access.

As I have said, we are going to ask applicants to provide a disability audit as part of a planning application. Once that is submitted, I will have it assessed either independently or by a group such as Disability West Lothian, which has expertise in the field. We are moving towards all these elements of development and a more rigorous

analysis of things such as sustainability, inclusion and access—and rightly so. We are beginning to employ access consultants, and we will do so more frequently.

Marlyn Glen: I hope with the aim of moving towards always employing the services of access consultants, which is the answer to my question that the committee would like to hear.

Richard Hartland: It is a matter of scale. If that is appropriate given the building's function, we should do that.

The Convener: Is that typical of all councils?

Richard Hartland: It is becoming more typical of councils, but I cannot speak for all councils. I know from speaking to many colleagues that, collectively, we are examining our requirements, our role in the field and implementation, which is often the important thing.

There is a fundamental point to be made. Earlier, I reflected on design; now, the question is inclusion. My colleagues have talked about basic requirements. We can design buildings that look like a box and function according to basic building regulations but, as a country, we must go beyond that. The lovely buildings that one sees nowadays are designed in that way largely because developers and clients have aspirations of quality. If they do not have aspirations of quality, we have a fight on our hands.

It comes down to civic pride. The criticism of the Scottish Parliament building in the media was unfounded. The building was an attempt to achieve a design of the highest quality as a matter of civic pride. If cost was the bottom line, we would not have fabulous buildings such as Leeds Town Hall and Glasgow City Chambers, which were built at times of civic pride. We should look for civic pride in the design of our public and private buildings, including pride in their inclusiveness and accessibility.

The Convener: I think that we all agree with you on that.

Mr McGrigor: Do you not believe that civic pride includes getting the budget right?

Richard Hartland: What is getting the budget right? If getting it right is minimising the cost, I would have come here today in a suit of sackcloth. It is about more than that; it is about developing quality within a framework.

Mr McGrigor: What guidance on accessibility, if any, do you provide at the local level?

Richard Hartland: That is for each local authority to decide. A variety of local authorities use a variety of means to give advice to developers and the public—and, critically, to their staff, to develop their thinking so that they are able

to give the best public service. It is critical that we develop advice.

Mr McGrigor: So there is not much at the moment.

11:15

Richard Hartland: To our great shame, the profession's focus on factors such as access for those with disabilities is in its relative infancy. That is a criticism of us as a society, but it is fairly true. We must wake up from that infancy and develop a public service the ethos of which is not just about demanding a minimum, as regulators, but about having aspirations of everybody achieving a better quality—including ourselves as customers and users of buildings.

Mr McGrigor: We have heard about communication among the various agencies. To what extent is there effective, joined-up working across the various local authority departments that have an impact on the built environment, such as transport, planning and building control, in relation to issues of design and accessibility?

Richard Hartland: I can speak in detail for West Lothian, where the situation is good and is getting better. At the outset of large-scale projects, at pre-application discussions, we sit down with a developer and a team comprised of members from each department in the authority. Frequently, the team includes highways engineers, building standards colleagues, education colleagues—because new development will have education repercussions, which we need to integrate into our schools—and lawyers, who will advise us on the legal agreements resulting from all the local authority's aspirations. Recently, we have quite readily sat with big developers and a number of bodies from the local authority, each there to examine separate elements of the project but with an understanding of all the other elements. That is called taking a corporate approach.

Mr McGrigor: To what extent do you feel that councillors and officials who are involved in the planning process have sufficient awareness and understanding of accessibility issues?

Richard Hartland: As we state in our written submission, their understanding is perhaps not good enough. The managers who are responsible for the delivery of planning, development control and building standards in local authorities must reflect on how the situation can be improved. There are various ways of doing that—I gave some examples earlier. We have a responsibility to examine what skills we need to be able to deliver that service.

John Swinburne: As acknowledged experts in your field, what marks out of 10 would you give the

Scottish Parliament building for accessibility for the disabled?

Grant Gordon: I thought about coming to the meeting in an RIAS hard hat, but you might not have appreciated that.

The Convener: Certainly not.

Grant Gordon: I am not an expert on anything.

Richard Hartland: I am sure that, if I state publicly that I am not an expert, someone will reduce my salary—and I know who—so, I will have to continue with the charade of being an expert.

I cannot answer your question, as my access to the building has been limited, as is my understanding of the building. The building is intriguing. I love buildings that are idiosyncratic, and this one is idiosyncratic. I have only been in bits and pieces of it, so I have yet to understand it, and I do not think that I am in a position to understand it from a disability point of view.

The Convener: I hope that you get the opportunity to come and experience the building as an individual. I think that it is super.

Let me take you back to Jamie McGrigor's question on councillors. Throughout our inquiry, we have heard that if they were not quite so expensive, there would be commitments to doing a number of things to ensure accessibility, whether to do with transport or added investment. Do councillors have a grasp on the issues around disability and the need to promote accessibility and awareness?

Richard Hartland: That is our responsibility as professionals in serving our politicians. Our training courses are essential—especially for those who are on the committees that make decisions on planning applications and so on. An awful lot of decision making is now delegated and perhaps more will become so with the advent of the Planning etc (Scotland) Bill. More responsibility will fall on people such as me through the delegated powers in that legislation.

We must promote awareness of disability requirements. That is not necessarily best done by standing in front of our councillors and boring them until they burst into tears. We have to find different and innovative ways of doing it. One way could be for the local authority to offer a design award for the most innovative and successful building with facilities for those who have disabilities. That is where we could draw politicians into the process; they could be part of the judging panel and deliver the award. As you well know, politicians like that sort of thing, and it would have distinct benefits, as it would draw participants in to see and benefit from the experience rather than have to sit through dusty lectures from people like me.

The Convener: I am sure that you would not give a dusty lecture.

Grant Gordon: Councillors might think that cost is a motivating factor, and it is, but we should bear it in mind that the cost of not providing disabled access is much greater than the cost of providing it.

The Convener: Absolutely.

I have a final, general question for everyone, if they feel they can answer it. What would have the biggest impact on improving physical accessibility in the built environment?

Richard Hartland: This might seem trivial, but it is not. I took on a much greater and sharper awareness of accessibility when I broke my leg playing football. At the time, I was going to a night class at Stevenson College down at Crewe Toll—you should try getting into that building when you are on crutches. I do not mean that to be trivial; the experience opened my eyes. Try making a cup of tea when you are living on your own and getting it from the kitchen to the sitting room when you are on crutches.

John Swinburne: I have been there.

Richard Hartland: People have to have a much greater awareness of all the implications and repercussions of disability. Sending my staff on a disability awareness course did not have as deep an effect as is needed, but it went beyond lip service and it gave a better appreciation of the situation. That is where we have to go.

Ian Herd: The biggest impact will come through changing people's attitudes. Attitudes cause the problems. People can comply with regulations fairly readily and easily—generally, they understand them and what they have to do to comply with them—but we still have to change the public's attitude. Until that happens, there will always be a problem with improving accessibility in buildings.

Grant Gordon: Making all pavements at junctions accessible would have the greatest impact.

The Convener: Yes. I agree with that.

Thank you all for your evidence this morning; it has been very interesting.

I suspend the meeting for five minutes to allow for a change of witnesses.

11:23

Meeting suspended.

11:31

On resuming—

The Convener: I warmly welcome Agnes Stewart from the Aberdeen access panel; Peter Ingram-Monk from the Dumfries and Galloway access panel; Iain Strickland from the Oban and district disability forum and access panel; Nick Rochford from the Ross and Cromarty access panel; and Liz Rowlett from the Scottish Disability Equality Forum.

As with the other panel of witnesses, we will move straight to questions. My opening questions are addressed particularly to the Scottish Disability Equality Forum. Liz, will you give the committee a brief overview of how an access panel is established and what its role is?

Liz Rowlett (Scottish Disability Equality Forum): Access panels can be formed either when people with a common interest get together or when a local authority requests help in establishing one. Initially, a meeting might be arranged with the disability community in a locality to which interested parties such as councils for voluntary service, the local authority, representatives from equal opportunities bodies or planning authorities and other voluntary sector organisations in the area, such as the local council for disability rights or carers centre, would be invited. The SDEF would help by, for example, setting the agenda and convening the meeting.

Once the interested parties are brought together, they need to decide how to take things forward. For example, if they are going to raise funds, they have to adopt a constitution and nominate a chair and various office-bearers. We help them with that work.

In a nutshell, that is what happens. The access panel then sets its agenda and policies—and off it goes. Sometimes it might have a particular interest in a local development; sometimes it might embrace wider issues such as access to learning. It all depends on the panel.

The Convener: That is helpful. What is your role as the umbrella body for access panels in Scotland?

Liz Rowlett: Our dedicated access panel officer moves around the 44 panels under our umbrella, helping them with training, formulating their constitutions and building up networks with local authorities and planners. We have annual get-togethers at which access panel members share their experiences and help one another. We have a newsletter and a website and panel members have access to the rest of the SDEF membership.

Marlyn Glen: How are access panels typically resourced? Do any of them have full-time staff or do they rely entirely on volunteers?

Liz Rowlett: No, they do not have staff. Access panels are a collection of volunteers, although they do not always see themselves that way. Some access panels have existed for nearly 20 years as groups of like-minded individuals and have not received any funding. In the past couple of years, as access has come more to the forefront, more resources have been available to the panels. Typically, panels benefit from funding in kind from local authorities. For example, they get seminar rooms for free or access to administration services for the dissemination of papers for meetings. The Glasgow access panel has a dedicated worker, who is paid for by the panel, but it had to raise funding for that. Some local authorities place on access panels a building standards or planning officer who can provide resources that the panels require, such as seminar rooms.

The Executive has given access panels a grant, which is administered by the SDEF, to pay for capital equipment and training and development. However, historically, access panels have operated on a shoestring and they are still not well funded by any means. Some panels have accessed funding: Nick Rochford has a coalition of access panels in the Highlands and Islands that has had funding, in return for which there is a service-level agreement. All the access panels are at different stages of development. Some of them are made up of only one individual and his dog; others are robust panels that have been going for many years and which seek alternative sources of funding. Part of our job is to help access panels to develop their fundraising skills and to put them in touch with CVSs so that they can look for and make use of funding.

Marlyn Glen: From what you are saying, there is no such thing as a typical access panel but, in general, how much of the panels' energies are taken up with seeking funding and putting it in place?

Liz Rowlett: That is an interesting question that I have discussed with colleagues at great length. The answer is that seeking funding does not take up much time because, historically, the panels have not had much funding and have developed coping mechanisms for that. They are used to not having anything, so they can manage without much. For some panels, a developmental issue arises, because they are not ready to receive a lot of funding in one go, so capacity building is an issue.

Peter Ingram-Monk (Dumfries and Galloway Access Panel): The panels are funded differently but, to be frank, quite a number of them run on fair wind and hope, which is totally wrong. The panel that I have the privilege of chairing has about 20 members, 16 of whom represent disability

organisations of one kind or another. A couple of people—one of whom is our access officer—attend the meetings by request, and we have two vacant chairs for councillors. Our funding comes solely and wholly from the local authority and, I might add, is good—at present, we do not have to generate funds. However, the funding that the Scottish Executive provides is far too restrictive in its format, which is an issue that must be re-examined. Any proposal to withdraw that funding, an idea which I understand has been mooted, would be challenged seriously, as it would be totally unacceptable.

In answer to your question, many of the panels struggle. Fortunately, we are not in that situation. I chair the southern coalition of access panels, which includes about eight panels. Some of them are desperately in need of funding, to the extent that I have persuaded my local authority to host their meetings to save them the cost. The situation varies drastically from panel to panel.

Liz Rowlett: Peter Ingram-Monk is right. Many of the access panels do not have core funding. The money that they have been given is for development, but they struggle to have a meeting in the first place, let alone work on development. That is true for many similar organisations.

Marlyn Glen: What is the geographical spread of the panels across Scotland? You have mentioned groups of panels. Does every area have a panel?

Liz Rowlett: Coverage is Scotland-wide, including the Highlands and Islands and rural as well as urban areas.

Marlyn Glen: Is everywhere covered?

Liz Rowlett: Yes. The panels are well scattered.

Marlyn Glen: To what extent have the recommendations in the report "A Review of Access Panels in Scotland", published in 2002, been implemented?

Liz Rowlett: We are doing fairly well on implementing the recommendations of the report. That is probably mainly due to the fact that our access development officer has been going round the panels implementing the recommendations that are part of his business plan. By and large, we are doing quite well.

Marilyn Livingstone: My questions are for the whole panel. What kind of training do access panel members receive?

Nick Rochford (Ross and Cromarty Access Panel): There are two aspects. On the one hand there is the training that some access panels give to other people. I am from the Ross and Cromarty panel. We have formed a network of eight panels throughout the Highlands and have got together to

give training on access awareness and disability awareness to various community groups and to local government officials, including staff in planning departments.

I go back to the point that Peter Ingram-Monk made. We sail under whatever wind we can get, because our panel does not get any core funding and neither do any of the panels in the north of Scotland. As Liz Rowlett said, we have recently developed a relationship with Highland Council. That is based on the disability equality duty, which comes into force shortly and has concentrated many minds. Until six months ago, no support had been given to any of the access panels in Scotland. Nothing had been done, despite missives from the Scottish Parliament to advise and encourage local councils to support them.

I must try to answer your question specifically, as otherwise I will wander on to other matters. On the training that access panels have received, the committee must remember that each panel is autonomous from the Scottish Disability Equality Forum. Training has been provided on capacity building and on finding out how to recruit more people. There are not many people on the panels and we find it difficult to organise our administration, never mind do anything else. The most important thing is that we get more people. The SDEF has given us training in how to recruit people, but it is difficult to get round to doing it. The truth is that, in general, members of access panels are white, middle class and well over 50. We need to develop our capacity to bring more people in. Recruitment is important.

My experience in Ross and Cromarty is that access panels provide more training than they receive. As I said, our relationship with the planning departments has been instructive. We have been able to develop a positive relationship and, through that, we have learned more about what planning is about and how we can provide input to it.

11:45

Peter Ingram-Monk: On the subject of training, I came across one, two and three-day training courses on disability that I found to be totally inadequate, quite frankly. I set about designing a course for Heriot-Watt University, which we now run with help from the Executive, primarily but not entirely for other disabled people.

One of the groups that need that training more than anybody is the group that sat here before us. In particular, architects are almost ignorant when it comes to general matters of disability. This morning, I heard more nonsense spoken in an hour than I have heard in the past 20 years. I sit in a wheelchair. I have been disabled for nearly 60

years and I can tell you that when one has been trained properly on access, as a number of my colleagues have, one understands what a blind person needs and what someone with a hearing impairment needs. One does not have to be a butcher to know how to cut a piece of meat.

It is so bad out there—I can tell you this for nothing—that a major architectural business with offices in both Glasgow and Edinburgh tells me that seven out of 10 telephone calls that it receives from builders and developers are about how to avoid the DDA—not how to comply with it, but how to avoid or evade it. That is the real world.

With Heriot-Watt University, I have designed a concentrated four-day course for architects. The final day, which people can choose to take or not, covers access to historic and listed buildings. I have particular concerns about that. I find the attitude of organisations that are responsible for such buildings reprehensible. Very few disabled people would want an historic building to be disfigured in any way just to give them access, but access can be provided in many different ways for many different people. The problem is that those organisations are reluctant even to consider the situation properly. The concluding day of my course is for their benefit.

I hope that my course will be commercially viable both for the university and otherwise. My objective is to extract from the course—and from other sources too—the sum of £5,000, which I intend to use to fund a competition for students in third year or above at the architectural schools to come up with ideas for access to historic and listed buildings. Do not tell us that you cannot solve the problems, because we will show you how.

The Convener: Absolutely. That is now on the record. Thank you.

Mr McGrigor: On the point about historic and listed buildings, have you had many dealings with Historic Scotland?

Peter Ingram-Monk: Yes.

Mr McGrigor: What was the result of your dealings?

Peter Ingram-Monk: Aggression mainly, although reluctance might be a better choice of word. Historic Scotland is reluctant to accept the situation as it is or to adapt. I am on the DRC, on which Historic Scotland is represented, and it tells us that its job is to maintain the status quo.

Marilyn Livingstone: Thanks for your answers. You deal with a wide and complex range of issues. Do similar issues arise throughout the country? If an issue on which you need expert help comes up, do you have access to that expertise?

Peter Ingram-Monk: Speaking for myself, I can call on any expertise that I require. The council insists that people come to my panel, including the police chief, the fire chief, the head of planning—whichever and for whatever reason.

I will give you a quick example of what I am talking about. We have a new £16.5 million recreation facility in Dumfries and we wanted to know exactly what access there would be. The planning guys came before the committee and the question was put to them, “When a blind person wants to use the pool, what facilities are there for the blind person’s dog?” The answer was, “None.” I suggested that they might like to reconsider their position, which they did, and still the answer was the same. I said to them, “No, you are breaking the law. A blind person’s dog is regarded in law as the person’s companion. If they brought with them a two-legged companion, you would find somewhere for them to sit—you should and must accommodate a four-legged companion.” Our panel is involved with that kind of situation across a wide spectrum. We can call in the experts if and when we want them.

Liz Rowlett: Any member who needs signposting to expertise can contact the office. One of the advantages of being part of a large network is that if we require an expert, we should be able to find one from among our membership and staff.

Marilyn Livingstone: Is there any consistency in the structure of the panels, or are they different in each area? Have they evolved historically?

Nick Rochford: The panels have evolved historically. It is important to point out that although we share the same aims and have the same needs, the panels are all very different; their composition and numbers vary widely throughout Scotland.

Marilyn Livingstone: I am interested in the different levels of development in access panels throughout the country. We have heard in evidence about good practice. What mechanisms are in place or need to be put in place to ensure that good practice is disseminated to other access panels throughout Scotland?

Liz Rowlett: It is difficult because we are not a branch organisation and the panels are all different. They have different priorities depending on their locality. Reaching best practice is sometimes difficult. We are working towards reaching a common viewpoint and are starting to provide training and issue publications, but we have some way to go. Money for training would help to bring all the access panels together. There is definitely a resource requirement there.

Nora Radcliffe: I understand that Nick Rochford and Peter Ingram-Monk are involved in networks

of local access panels. Have such networks developed organically?

Nick Rochford: In the north of Scotland, the network was prompted by encouragement and assistance from the Scottish Disability Equality Forum. There had not been any networking before that. We decided that it would be a good thing to pull together panels from the Highlands and Islands and from urban and rural areas. We have to bear in mind the differences in operation in urban and rural areas.

Agnes Stewart (Aberdeen Access Panel): Nick Rochford said that there had not been networking before. I have been involved for at least 12 years in the Aberdeen access panel, which was a sub-group of the disability advisory group in Aberdeen, which I think is unique. Disabled groups have met council officials over the years. We do not have to go back to our local groups and write; we can have issues dealt with at source. The access panel is part of all that. When I got involved, for my sins, I was a nurse and one of the members of the panel was a patient of mine. When the panel wanted somebody to go to Edinburgh and speak at a disability meeting, they said, “Send Agnes; she can speak for everybody.” That was 12 years ago and I am still involved.

There was an excellent set-up with Disability Scotland. When Disability Scotland ceased to exist, it was one of the worst things that ever happened. I can show you all the documents relating to the access panels. At least 16 of the panels in the SDEF are long established. We have all worked together. There is that nucleus, so it is not strictly true to say that networking has happened only with the SDEF. There has been a build-up; panels have been working together since the days of Disability Scotland.

Peter Ingram-Monk: We in the south felt that there was a need for us to get together to exchange ideas directly, rather than through a third party. The panels had different experiences depending on their regional authorities—we cover four regional authorities. Dumfries and Galloway Council is particularly good at supporting the panel. It was late in coming to the party—in fact, the damned doors were nearly shut by the time it got there. Since it has been at the party, as it were, it has done extremely well and has really moved. We have an excellent access officer, who is a knowledgeable guy. We have been able to exert influence on the other regions by saying, “Look what D and G has done. Can we have some of the same, please?” That applies particularly in our work with the NHS. It is alarming that three major areas of the NHS—NHS Ayrshire and Arran, NHS Dumfries and Galloway and NHS Borders—have totally different perspectives on disability and how to handle it. You would think that, if one group

could get its various parts together to share a common objective, it would be the NHS. It has not done so, but the coalition of panels has helped to bring together people in the NHS to show them a better way to do things.

12:00

Liz Rowlett: The SDEF picked up the mantle of the umbrella body for the access panels when Disability Scotland collapsed. The SDEF has only had two years in that role. However, we bring the panels together for meetings once a year to ensure that they come together as a community of practice and can share their thoughts on various issues.

Peter Ingram-Monk mentioned health. A working group is taking forward the "Fair for All—Disability" consultation. It is starting some pilots and, I hope, some uniformity will come out of that at some point. The SDEF is represented on that group.

Ms White: With regard to the work that is done by local authorities, do you feel that you are sufficiently included in consultation exercises, both nationally and locally? To what extent do you think that your participation in those consultation exercises can influence the decisions that are made?

Peter Ingram-Monk: I would like to comment about the disability equality duty in particular. We could see what was going to happen if we were not careful. A finalised document would be placed before us, as a panel representing disabled people, and we would be asked to comment on it. I have gone through life with people telling me that they know what is best for me. To them, I say, "Oh no you don't, and you never ever will. I know what's best for me." To avoid that happening, we alerted the council to the disability equality duty early on and said to it, "Watch it. Don't think that you are going to draw up documents and present them to us for our comments as a fait accompli, because you're not. We will sit with you and draw up the document." That is exactly what we have done.

At the instigation of the panel, the council called in bodies including the NHS and the police—I love the fact that, under the disability equality duty, it is the chief constable who is responsible—and said, "Can we reach a commonality in the DED document and its on-going monitoring?" Of course, as you know, that on-going annual monitoring is as important as drawing up and applying a document by December—consideration must be given to what needs to be done to enhance it and keep it going. Panels have the power to insist that they help to draw up the document in the first place. That is where they can influence the situation.

The Convener: Is that the same in other areas?

Iain Strickland (Oban and District Disability Forum and Access Panel): No. The situation with regard to the disability equality duty is not consistent across the country. In my area, people are only starting to give it some thought. Certainly, the approach does not include the access panels or the bulk of the people. However, I think that that will happen. It took a fair amount of time for the DDA to be taken seriously, after all, and I think that the same thing will happen with the disability equality duty.

Peter Ingram-Monk: I would tend to disagree with that. The disability equality duty has a specific time factor attached to it. This morning, people were sitting here talking about consultation and discussion among professional bodies about legislation that has been in place since 1996. It has been 10 years and, still, they are talking among themselves.

The Convener: That is why we are involved in this inquiry.

Nick Rochford: An example of what Peter Ingram-Monk described is the Scottish Building Standards Agency. It recently released a consultation document on the new standards that it wants to encourage, but the truth of the matter is that no one from the disabled community was invited to make an input. It would have been an example of clear, joined-up thinking if the SBSA had got disabled people on to the committee that put together the consultative document. The point is worth making.

Agnes Stewart: I attended at least 90 per cent of the meetings that were held on the building standards over the past 10 or 12 years. I remember a meeting in Perth a few years ago on the fifth amendment to the Building Standards (Scotland) Regulations 1990, at which our late convener made an input. At one point, when she was asked what she thought of the document, she answered, "None of the recommendations that we suggested is in there. The only thing that is required for the fifth amendment is to tear it up and bin it."

Liz Rowlett: The SDEF invited someone from the SBSA to give a presentation on the proposed changes to the building standards. The presentation was attended by around 40 access panel members. A vibrant discussion ensued. If you had heard it, you would have been left with a slightly different impression of the SBSA's consultation with disabled people from the one that you got earlier this morning.

Ms White: We can see that consultation is pretty patchy across the various local authorities. Three of the panel have spoken about the good practice that their local councils follow. I want to

follow up on the element of involvement. Agnes Stewart, Peter Ingram-Monk and Nick Rochford have spoken about their involvement with their local authorities through giving talks and providing disability awareness training. Do you have any involvement at the local level on planning issues?

Nick Rochford: There are surprising disparities in the relationships between local government and access panels. As I mentioned earlier, until there was the noise of the DED about to come in, there was no practical support in Highland, yet this relationship is key to disabled people getting involved in managing areas of disability.

The message that I want to give to everyone is an important one. Clarion calls have gone out from headquarters to local government to get actively involved, to provide funding, to give help in kind and so forth, but councils in certain areas of the country still have no relationship with their access panels. Reading between the lines, I think that what the three experts from whom the committee heard earlier were really saying was that they do not know about this area. Of course they will not unless they deal with the experts—us what are disabled. The relationships between councils and access panels should be encouraged further. That is how things will change; the lack of relationship means that things are not changing.

Peter Ingram-Monk: In the early days of the DRC, we had a meeting at a hotel down in Dumfries at which we had separate afternoon and evening sessions. The afternoon session was for disabled people in the area and interested parties and supporters; the evening session was for councillors and businesspeople. We have 47 councillors in Dumfries and Galloway, but only four managed to stagger to the hotel to listen to the evening session. I decided that from that day on—we had not got the access panel properly running then—the first and most important job was to educate the council, particularly the councillors.

If I may say so, the first panel was asked perceptive questions by committee members, who have obviously grasped the nettle and know just where the problems lie, which is in finance and funding. I say this with humility, but some access panels do not exert the pressure that they might on their local authorities. The access panel here in our capital city is a classic example of that.

Agnes Stewart: We have an excellent working arrangement with our council. We have the disability advisory group behind us and we see everything that comes through. Recently, we have been doing cycle paths—not psychopaths but cycle paths—and we have just got a document that shows all the paths in Aberdeen. I cannot fault what the council does with us. All levels of disability are included, not just wheelchair users.

I sit here today representing the Aberdeen access panel, but my colleague sitting behind me in the public gallery is from the Peterhead access panel. In Aberdeenshire, city and shire have always been poles apart, but because of access we are coming closer together. There was nothing in Aberdeenshire until three years ago when funding from the European year of disabled people was used to set up four access panels in Aberdeenshire. They started from scratch, which is a totally different ball game from my colleagues and me, who have been at it for 12 years. What the Aberdeenshire access panels have done, particularly the Peterhead one, in getting out there and getting things done is wonderful. However, access panels must work together with their councils.

The Convener: Absolutely.

Iain Strickland: One aspect that has come out of the consultation is that local authorities, public bodies and people in general have difficulty engaging with disabled people. They do not understand disability, so they are a wee bit hands-off. Similarly, though, disabled people, if we can call ourselves a group, have difficulty engaging with other people. One of the things that the SDEF has been doing is building capacity in the access panels to enable them to have the skills to speak to local authorities and public bodies. The capacity-building money that we got from the Executive has been well spent and it has produced considerable results.

On a question that was asked of the first panel, I would give the Parliament building nine out of 10. I think that it is an accessible building. The entrance is difficult to find, but the building is well thought out and it works well—I like it.

The Convener: I like it as well.

Agnes Stewart: There is an excellent team here, as far as disability is concerned. I do not know whether anyone has heard of the Holyrood project team, of which I was a member. I never worked so hard in all my life.

The Convener: That is good.

Agnes Stewart: We were working for three years before the building started.

The Convener: Did they listen to you?

Agnes Stewart: We had our homework every month. A lot of thought went into the building.

The Convener: It is good to hear that.

12:15

Ms White: How do access panels engage with and consult disabled people in their areas? How do you advertise what you do?

Iain Strickland: Most people on access panels are disabled or have an interest in disability, perhaps because their partner or someone in the family is disabled. Such people tend to have a fairly well-established network in the disabled community, so much informal consultation takes place. My description probably reflects what happens in most areas.

Peter Ingram-Monk: As I said, there are about 16 different disability organisations, which have their own communications systems. We produce a quarterly newsletter, which we send not only to those 16 organisations and their outlets but to the 15 council service centres and to doctors surgeries, health centres, libraries and all the usual outlets in the region. We do our best. We also have good contacts with the BBC, ITV and the local press, so that we can release information when appropriate. We have good external contacts. People come to us all the time to ask about this, that and the other.

Nick Rochford: In my area, there used to be a multidisciplinary disability group called the disability alliance in the Scottish Highlands. The group folded about two years ago, which was unfortunate because it had been a unifying force for people with disabilities. When the group collapsed financially—no doubt internal politics were also involved—

Peter Ingram-Monk: You can say that again.

Nick Rochford: The organisation's collapse left a gap for people with disabilities in the Highlands, but the SDEF's help in nudging us towards developing relationships with Highland Council and in building up a network of access panels has made a huge difference.

I wanted to say in answer to a previous question that it is vital that an us-and-them situation should not develop between the council and disability groups in our area. However, there has been disappointment locally about the use of the term "access officer", which was merely a title behind which people could hide. The people were not access officers; they were just members of the planning team. However, things are changing.

The Convener: We still have a number of questions to ask, so I encourage members to ask short questions. Short answers would be welcome, too, to allow us to get through as much as possible.

Nora Radcliffe: The witnesses talked about how they interact with public bodies, but how much of your work is targeted at private sector businesses and organisations?

Peter Ingram-Monk: We interact with the private sector, often via the council. The local authority directs to us requests for advice and

support around access that it receives from the private sector; it does not deal with such inquiries itself. I will give a classic example—I am sorry to go on about the previous panel, but such people really must grow up. A first-class, four-star hotel was built recently in Gretna, which is just inside the Dumfries and Galloway Council boundary. After the hotel was built, we were asked to have a look at it and talk about access. We identified several points—they were not major structure issues—on which the hotel could have saved an awful lot of money if it had got them right at the outset rather than having to do a retrofit.

Some bits of the design were rather frightening. The building is very modern and has an aluminium bar that is built with corners that a person could shave with. When it was pointed out that anyone with a sight impairment could do themselves damage on those corners, people shuddered and said that they should have come to us first. I said, "Yes, you should've done, shouldn't you?" The building also has different floor levels and other odd things, but nothing major emerged.

I am sorry; I was asked to give short answers. The answer to your question is yes, but we interact mainly through the local authority.

Nick Rochford: In my area, the relationship with the private sector generally involves tourism industry establishments—hotels, bars and bed and breakfasts. As a group of access panels or as individual access panels, we produce many access guides for areas, to inform tourists and the council, for example, about what is going on.

Our other private sector work involves private finance initiatives. I will try to be as honest as I can about that. We have received a lot of negative responses from organisations that run private finance initiatives. They put us off and do not want to meet us. That is a big question that probably falls outwith what we are discussing today. The issue is significant because, as Peter Ingram-Monk said, the main angle that developers and designers take is to ask what they can get round and whether something will be cheaper. The job of those three experts on the first witness panel—and of all specialists—would be made much easier if legislation prescribed access statements or made them mandatory. If that were done, anyone who was redesigning a building or putting together a new build would have to write down what they were doing and why. That is vital.

Iain Strickland: Our panel has been asked to advise hoteliers and particularly retailers. We have introduced a card that says, "I visited you today"—the idea came from the Cowal access panel. Cards have been distributed to the public, who send a card to us so that we can pass on comments. We have asked people to identify problems that they have had and to describe

positive experiences, so that we can pass them on. At many places, people have positive experiences. The staff who really matter are shop assistants, hotel receptionists and waiters, and I am conscious of a general increasing feeling—I do not know whether the word to describe that is “kindnesses”. I think that awareness in the community as a whole has increased, and that has not happened by accident.

Nora Radcliffe: That is a good point. The giving of positive feedback and praise when it is due is quite important.

In your experience, are there any specific groups of disabled people who are particularly excluded by physical access barriers in the built environment?

Peter Ingram-Monk: I would not use the word “excluded”, but I would say that people who have learning difficulties are often sidelined, not necessarily deliberately. Access for that group of people would be at the top of my list of priorities. A member of the first panel made a comment about people in wheelchairs, which, quite frankly, was ridiculous. We represent 5 per cent of the total number of people who are recognised as being disabled, of whom there are nearly 10 million in Britain. According to the latest estimates, which were produced the week before last, those people have a combined spending power of £60 billion; I have not counted what it is this week.

Nora Radcliffe: You might have spent some of it.

Peter Ingram-Monk: The wheelchair logo has done a great deal of damage because it ignores people who have other accepted disabilities, such as sensory disabilities. That damn wheelchair is a curse, because it has led everyone to think only about wheelchairs, which is utterly wrong. For someone to say that someone who is in a wheelchair cannot understand the difficulties that other disabled people face is absolute nonsense. That is what proper access education is about. The requirements of someone who has a hearing problem are totally different from mine. I do not care who designs the building—even if we brought him back with all 12 of his disciples to design it, we would still not cover everyone’s requirements. All that we can do is the greatest good for the greatest number of people.

Nick Rochford: One of the final points of the three gentlemen who were on the first panel encapsulated the issue. Awareness and education are crucial. Peter Ingram-Monk described how the wheelchair logo has skewed people’s ideas. That can be rectified only if people obtain a basic level of awareness and education. An idea that could be adopted is that as part of their contract of employment, everyone should go through

disability awareness training. We are talking about an old chestnut, but it is true. If we give the younger generation an awareness of disability through what we teach them at school, things will change. Unless that happens, things will not change—or rather, they will do so only very slowly. Our access panel has a mission statement. The reason why we meet is so that the day will come when we do not have to meet.

Iain Strickland: One of the biggest challenges that we face is redefining disability. Most people think that someone does not have a problem unless they are in a wheelchair but, under the DDA, 15 per cent of the population are disabled. There is not one person in the room who will not know fairly well someone in their circle who is affected by a disability. My family thinks that I am the only person in it who is disabled—I do not think of myself as being disabled—but there are three cancer sufferers in my family, who are certainly covered by the terms of the legislation. The big challenge that we face is in trying to mainstream the issue by making people realise that it affects everyone. Access benefits everyone in our community, just as disability issues affect everyone.

Mr McGrigor: What are your views on the clarity and usefulness of the relevant laws and regulations in relation to the physical accessibility of the built environment?

12:30

Nick Rochford: That is a big question. There is a distinction between guidance and mandatory building regulation. That strikes me as being where the bottom line lies. You show me a developer, an architect or an architectural technician, and that is what they will work to. The legislation as it stands would be acceptable if more people were made aware of the situation. That could happen if access statements had teeth. People would have to address all the issues of design and hence the use of the building standards. Working through that process would concentrate minds enormously.

Peter Ingram-Monk: As the committee is probably aware, the proposed new planning regulations require developers to consult disability groups and disabled people prior to making a submission for planning approval. That is a move in the right direction. The earlier witnesses obviously could not get their heads round the fact that British standards are the lowest that they can get people to agree to. Guidance is one thing but, as my colleague said, mandatory requirements are something else. Something else again is best practice. Best practice is a yard and a half—or, in modern parlance, a metre and a quarter—outside British standards. They are poles apart.

I disagree with Nick Rochford in that I believe that accessibility should be mandatory. Until it is, the majority will always take the cheapjack route. Why do you think supermarkets are so accessible? It is because they want the tills to ring out and they want some of that £60 billion. Others are either too short-sighted or too tight in the wallet to make the move. What we get done for us—for disabled people—benefits everyone. That message should come through.

All authorities should be required to undertake disability awareness training. It is all very well handing down duties from on high, but where is the money to make them function properly? Let us talk about the Executive's duties as well as ours and those of other people. The Executive has a duty to assist in the funding of training for council employees. My council wants to train its employees; it has done some training, but it tells me straight that it is too strapped for cash to provide it for 8,000 people. Training is not just needed today; newcomers, too, will all have to be trained. Training is an on-going cost and expense, which councils have to bear. As one of the earlier witnesses said—I agreed with him on this point—councils are getting more and more duties with which they must comply, and that costs more and more money.

Mr McGrigor: To what extent does the cost or perceived cost of adjustments stop better access being provided?

Peter Ingram-Monk: Yes. It does

Mr McGrigor: Are you saying that it is all cost?

Peter Ingram-Monk: In the majority of cases.

Nick Rochford: Another matter of cost is that it is prohibitive—at least, it certainly has been—for disabled people to appeal if a barrier is not dealt with. Such actions are very costly under the civil law and under the DDA. That cost can be significant, too.

Iain Strickland: I do not believe that cost is as important a consideration as we think. At the design stage, it should cost no more to design something well than it would to design something badly. For existing facilities, although some changes would clearly cost a lot of money, many changes would cost virtually nothing. For example, I know of one local building that has black bollards in the middle of a route. All that would be required to make the way accessible for visually impaired people would be for a bit of sparkly tape to be put round those bollards. It is too easy to say that cost is a determinant. Cost is a factor, but people need to be encouraged to make the low-cost changes that are within their power.

Nick Rochford: I second what Iain Strickland said. A lot of things that would make a massive

difference could be done at little cost, but people are not aware of them.

Iain Strickland: One of the great frustrations arises when significant amounts of money are spent to achieve a result that may not have been necessary or which could have been achieved in a different way.

Elaine Smith: Much of the evidence that we have heard today has been about a lack of lateral thinking and people having a can't-do, rather than can-do, mentality. The solution is more training to change attitudes and to encourage innovation in design.

I was concerned to hear Nick Rochford say that the working party on the review of building standards did not include anyone with a disability. Was that the case?

Nick Rochford *indicated agreement.*

Elaine Smith: Given that the consultation on the review of building standards is on-going, rather than go into all the details just now, perhaps we could seek to get the responses to the consultation so that we can consider how we might take that forward. Perhaps the witnesses who are before us could provide us with further written information on that review. That would be really helpful.

The Convener: The consultation is on-going.

Elaine Smith: Rather than ask questions on the issue today, perhaps we could get further information from the panel.

Health and safety concerns are often given as a reason—or excuse—for not providing better access for disabled people. I have experience of that from my constituency case load. Have members of the panel had similar experiences? How should such concerns be dealt with?

Peter Ingram-Monk: You were right the second time round—it is an excuse. More and more, health and safety is being used as a supposed reason but it is an excuse. I must be careful in what I say as safety factors are obviously involved but, quite frankly, a lot of it is nonsense.

I do not wish to detract from what my colleague Iain Strickland said about the need for cost-effectiveness, but that is not what I—or the MSP who asked the question—was talking about. Modifications to existing buildings are where costs generally arise, but new build is a different matter. A lot can be done for a little, but that little must be aimed at where people think. I have seen brand-new so-called accessible rooms in which I could reach the light switch only at full stretch.

I do a lot of public speaking all over England and Scotland on this very subject. I tell you this without fear or favour: audiences soon come to

understand what I am talking about and they say afterwards or during a coffee break, "I'd never thought about that." But why should they have thought about it? I have been directed to hotels that were described as being "on the level", only to find that Sherpa Tenzing would have been pleased to get up the steps. However, the person who told me about the hotel was quite sincere and I would not accuse them of anything. They ran up the steps; it did not occur to them that there were steps there at all.

A number of similar issues arise in this building, or in crossing the road. In the earlier evidence, I heard what I considered to be an insult about sitting in a wheelchair. Try crossing Princes Street in a wheelchair. That would be a bit of a test, would it not? Or try getting on a bus in a wheelchair. That is what I would call a test, not merely sitting in a wheelchair.

We have to bring such points home to people. They will understand and they will readily come along with you. I applaud the attitude of a lot of people once they understand. Nick Rochford was dead right in what he said. This is a question of awareness. Let us do more on awareness, and let us have some help towards that.

Agnes Stewart: At a building standards seminar that we held recently, a gentleman was asked how much consultation there had been. He was not very forthcoming, so I talked to him afterwards and he said, "Oh, we talked to the RNIB and RNID, but didn't get much response at all." That was the sum and substance of the consultation. At the end of the seminar, he wanted to know how he could do better. About 40 groups had spoken at the seminar, and the chorus was, "Use us! Get us in at the grass roots." Our late convener's main object was to get us in at the grass roots, at the beginning. Only if that happens will we achieve anything.

John Swinburne: I congratulate the witnesses from whom we have heard today. They have been excellent, but I would like to single out Peter Ingram-Monk. Your comments have made my week—I could listen to you all day. You speak from a position of genuine authority and I thank you for your excellent contribution. If ever you want to go into politics, sir, I'm your man.

The Convener: No recruiting, please—let us have a question.

John Swinburne: What are the biggest challenges facing access panels at the moment?

Peter Ingram-Monk: I do not want to keep on, but the answer would be funding, awareness, and access to the various lobbies and organisations—professional or otherwise—that can make a difference and impact on current thinking on access. That is the reason behind the competition

for architects that I mentioned earlier. Architects who are fully qualified and have been in practice for some time will pay lip service to access, but with the youngsters in the second or third year at college there is a much better chance of inculcating into them the problems that disabled people face every day. Do not forget: access problems are not a one-off; they happen every day.

Quite often, I end my public speaking engagements by saying to the audience—it looks as if I will do it again today—"I don't want anything better than you; I just want the same as you." I think that that goes for the majority of disabled people.

12:45

Nick Rochford: Peter Ingram-Monk talked about raising awareness. It would make a huge difference if we could bring that into the educational field and the employment field.

If access statements are to have some weight, planners and designers need to be able to insist that if someone is planning to redesign, refurbish or refurbish, or even if they are planning a new build, they have to follow through the paper trail to see why decisions have been made. That will make the building standards make sense. Society would be more accessible if that was followed through.

We must press for change in the management policies, practices and procedures of any kind of facility, whether the building is new or changed, so that the dynamic living building follows the access statement, and so that the management stays aware in order to ensure that someone—not just the front-line staff—knows about deaf awareness. I am talking about ensuring not just that the car park gets swept now and again, but that things do not fall into disrepair. The access statement should continue as a live document in all organisations so that they can check that everyone is included. That is very important.

Agnes Stewart: We have met one major problem with the access panels—this view is held nationally—which is that we can put all the work into a set of plans, but we cannot follow it through once the building has been passed. We would like to be able to go into buildings at regular intervals to see that what we have put in place is being followed through.

When a building is complete and the management begin to go through the snagging, they find—as happened with this building—that a lot of things that were put in place three years earlier were not done to the hoped-for standard, but now it is too late. That goes right through the building programme. We would like there to be a

mechanism with which the access panels can follow up what they tried to put in place.

Marilyn Livingstone: On the challenges that face access panels, one of the previous questions was about how we can communicate with disabled people in the community. Given some of the geographical areas that you cover, what sort of barriers are there to keeping in touch? How do you manage to do it? I am thinking about transport and other issues. You have said that there is not a lot of funding or other resources, so how do you keep in touch?

Nick Rochford: I am speaking on behalf of my access panel. We have a website so we can put information in the air that way. The SDEF also has a website that covers all kinds of issues that affect everyone. As you said, meeting in rural areas is not easy and the dissemination of information is important.

Liz Rowlett: On one of the consultation exercises that I did, I convened an e-panel on the Planning etc (Scotland) Bill. That took the form of an e-mail discussion, so people did not have to go anywhere in order to communicate.

John Swinburne: My final question has been answered various times during the discussion. I thank the witnesses for their responses, which have been excellent.

The Convener: Thank you for your evidence.

As you are aware, the committee is nearly at the end of an inquiry into the barriers that face disabled people in Scotland. Is there anything that you have not told us that you think would make a significant difference to our report, or is there a question that we should have asked?

Agnes Stewart: I refer back to the meeting that I was at in Dundee, at which a group of people with profoundly disabled family were making their case. I would like to see in writing the fact that facilities for such people are a priority. Peter Ingram-Monk has been doing quite a bit of work on that issue, and we are addressing it in Aberdeen. The issue needs to be kept up on the agenda. There must be something for that group of profoundly disabled young people, whether they are young at 10 or young at 50 or 60.

Nick Rochford: It is vital for the volunteers on the front line and for the people who work on the access panels that more pressure should be brought to bear on local authorities so that they will support us. We do not have the back-up that you can have down here. We just do not have the weight behind us to encourage such support. That support could come through the Convention of Scottish Local Authorities, but perhaps the administrative centre of the Parliament could bring pressure to bear to give support to the panels and

develop relationships. It is vital that we are not in an us-and-them situation. That is the point that I would like to leave with you.

Peter Ingram-Monk: The Executive has it within its power to put much more pressure on local authorities to support the access panels. They are doing a jolly good job but they are volunteers, in the main, and they give of their time and expertise. I chair the Scottish Borders Transport Forum; we are getting terrific co-operation from the local authority and it is making a big difference.

The Convener: Thank you very much for your evidence.

Meeting closed at 12:52.

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