

EDC15D011

Title: Union House Accessibility and 24/7 Access between the Street and Walkways
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Issue

To inform the Committee of an issue with accessibility in Union House and the 24/7 access between the Street and Walkways.

Recommendation

The Committee is asked to engage with the Project Board (Union House Refurbishment) regarding the provision of an accessible toilet.

The Committee is requested to note the disparity in available funding (the Access for All Group has an annual budget to deliver a plethora of smaller works arising primarily from accessibility audits) and to take forward the matter to the Executive Team to request additional funding for the delivery of major accessibility works following the feasibility/option study.

Resource Implications

None for the Committee to agree at this stage.

Risk Implications

The risk of not taking action exposes the University to a risk of being inaccessible to a range of disabled people and non-compliant with the law. Risks are those of compliance and reputation but primarily of unnecessary and unfair exclusion of individuals in a key, central area of the University.

Equality and Diversity

The paper has equality for disabled people as its core value.

Timing of decisions

n/a

Further Information

n/a

Background

The Access for All Group was established following an Open Forum held by the Vice Chancellor in September 2014. It follows on from the DDA Group and the Campus Accessibility Budget Group to bring a more informed view regarding accessibility to the University's development of its campus. The remit of the group is to determine priorities in campus improvements and extends to informing the design of new buildings and refurbishments to ensure that accessibility is at the forefront of consideration. The group represents all areas of the University community (staff, students, visitors and service users).

Union House Accessibility and 24/7 Access between the Street and Walkways

1. Introduction

The Access All Areas Focus Group (AAAFG) has been actively engaged in reviewing three issues related to accessibility and use for disabled people into, from and around the Student Union Building (SUB) and the Street which are:

1. Impaired 24/7 movement for disabled people (particularly wheelchair users) between the Street and the upper walkway and between the Street and the Music Building¹.
2. Accessibility and evacuation to and from the top floor of the SUB for wheelchair users who cannot transfer from their wheelchair.
3. Lack of an accessible toilet provision on the top floor of the SUB.

The existing accessibility budget exists to primarily deliver works solutions to access issues identified from access audits and ad-hoc access issues raised through the AAAFG requiring urgent action. It was never intended to support major projects.

The Director of Estates and Buildings tasked R M Wilkin (Estates Senior Project Manager - Technical) through the AAAFG with reviewing the situation holistically and presenting a paper to the Equality and Diversity Committee.

2. Summary

In the heart of our campus mobility for disabled people (The Street, the Square and adjacent areas) is impaired by the lack of access to a 24/7 lift (all adjacent lifts only operate when the building they serve are open). A feasibility study² has indicated two possible solutions³ and following a lengthy discussion within the AAAFG, it was agreed that option 2 provided the right VFM solution for the UEA. This option requires the modification of the main lift in the SUB (to provide a 'through' facility that will allow access/egress out of hours without the building being open or entered thus ensuring building security) as well as the creation of a new entrance/exit within the existing curtain walling in addition to a new short walkway to connect the new lift exit/entrance at level 1 to the existing walkway. This provides a 24/7 lift at the heart of the campus but the solution is enhanced through the addition of a new enclosed platform lift adjacent to the Music Building to provide access from the Street and walkway to that building⁴ which will work well and add to the refurbishment of the Music Building in the summer of 2016 (that includes an accessible toilet and an internal lift). The RoC cost for the provision of Option 2 is £250,000 (including VAT and fees).

The work to the SUB lift would entail many weeks of disruption and the SUB would be without a lift for a period of time; it is therefore sensible to consider for this building, all major accessible works requirements as one project.

Whilst the top floor of the SUB is accessible for all able bodied people and most people with mobility impairment (including most wheelchair users), accessibility is currently not possible for wheelchair users who cannot transfer from their 'chair as in the event of a fire, there is no approved⁵ means of evacuation from the top floor. The top floor houses the main open-plan office (and Grad bar and meeting rooms) within which most of the Union business is

¹ The preferred solution (from a feasibility study) directly impacts upon the SUB lift.

² Pick Everard feasibility study dated 30th October 2015.

³ Converting the existing SUB lift to a full evacuation lift was not considered due to the immense difficulties that would occur reconfiguring the building and the lift to obtain compliance.

⁴ This fits well with the forthcoming refurbishment of the Music Building in the summer of 2016.

⁵ Only the existing lift could be used but that is not BS9999 compliant for use as a fire evacuation lift; use is therefore prohibited (through PEEP). One of the existing two protected staircases is too small to permit the use of motorised evacuation chairs and is excluded from use for evacuation thus there are too few options for evacuation available.

conducted, this is a very important point as any wheelchair user who cannot transfer from their 'chair is excluded from accessing the office/bar/meeting rooms. The matter has been highlighted to the AAAFG as it is possible that a UEA student (a AAAFG member) who is unable to transfer from a wheelchair, may be elected in March 2015 as a union sabbatical officer and would require a close working relationship with staff located on the top floor to effectively deliver the role. The student is also a member of union societies that currently use the top floor meeting rooms. Any solution to an accessibility issue must be seen (through the Equality Act 2010) as a 'reasonable adjustment' therefore initially a management solution should always be the first consideration. It is possible for the student societies to meet in other accessible rooms across the UEA and that should be considered⁶. It would also be possible to locate a wheelchair user in an office on a lower accessible floor with arrangements in place for colleagues to come to them when required and possible one or two key colleagues could also relocate; this could be a short-term expedient as the student would be disadvantaged and of course it does not address the long-term issue that the UEA has a SUB that is not fully accessible thus excluding a section of the student body from their building which may be construed as discrimination? The permanent solution to provide a fully accessible building would require a 'works' solution (in the absence of a permanent managed solution) but any solution must also be reasonably practicable. Without anticipating the exact solution, two possible measures have been identified to try to benchmark possible costs and from this the RoC to make the top floor fully accessible is likely to be in the order of £164,000 (incl VAT and fees). These measures are not definitive therefore a full option study would be required to identify the right permanent solution.

The final issue is the lack of an accessible toilet on the top floor of the SUB. Following completion of the recent well received refurbishment project in the SUB in 2015, the project board approved a budget of £45k (from a projected project underspend) to deliver the refurbishment of the male and female toilets on the top floor which would also incorporate a new accessible toilet. That decision was never taken forward as a revised estimate of circa £65k exceeded the authorised sum and the matter was not formally resubmitted to the 'Board. A subsequent estimate confirmed that the refurbishment of the male toilet area alone (including an accessible toilet) could be achieved for £48k but that too has not yet been taken forward.

From the above information, there is clearly a need to address all three issues although not necessarily together as there are clearly differing priorities which will dictate the action taken.

The overall RoC to resolve all **three** issues is circa £489,000 incl VAT and fees which cannot reasonably be supported through the existing Estates accessibility budget which exists to deliver a continuing plethora of works primarily related to accessibility audits.

In priority order the delivery of the identified work should be:

1. Refurbish toilets and install an accessible toilet facility. This is a wholly reasonable adjustment and could be undertaken immediately from an existing project underspend (project board required to approve). Without this action, should a future claim for discrimination be made it may prove successful.
2. Commission a feasibility/option study to identify accurately costed solutions to the accessibility/evacuation issue on the top floor of the SUB and to include a further review of the 24/7 lift solution including a full review of the existing SUB lift. This will require the input of a specialist fire consultant/architect.
3. From the feasibility/option study, identify capital funding to deliver the works to ensure accessibility/evacuation and 24/7 lift provision in the Street area and to and from the Music Building all delivered as one project to obtain VFM.

⁶ It is preferable of course for student societies to meet within the student union building.

3. Action required by the Equality and Diversity Committee

The Committee is requested to engage with the Project Board (Union House Refurbishment) to deliver the provision of an accessible toilet.

The Committee is requested to note the disparity in available funding (the AAAFG has an annual budget to deliver a plethora of smaller works arising primarily from accessibility audits) and to take forward the matter to the Executive Team to request additional funding for the delivery of major accessibility works following the feasibility/option study.

4. Additional Background

From the UEA 2030 vision:-

'We'll continue to prepare work-ready students and invest in the **modernisation** of our campus....We have a **responsibility** to promote diversity and **ensure equality**, living and breathing **fairness** in everything we do'.

From the UEA webpages:-

'The University is committed to promoting a positive attitude to disabled people and to creating the conditions in which all students can participate fully in the academic, social and recreational life of the University'.

VC's open forum in October 2015:-

'Of the new corporate plan the VC said the UEA was aiming for 'a campus of equal opportunity and access for all'.

To further improve accessibility across the UEA campus, in November 2015 the Assistant Director (Built Assets) initiated the 'Access All Areas Focus Group' (AAAFG) to focus on accessibility issues and to deliver the annual existing accessibility works budget. The AAAFG reports to the Equality and Diversity Committee and has terms of reference that direct it should deliver (through the existing Estates annual accessibility budget) improved accessibility across the campus and to work closely with the Estates Project and Engineering teams to produce a new and detailed design guide (for new builds and major refurbishment work) within which accessibility for all is embedded and specifically itemised where required.

The AAAFG has over the last 14 months delivered a broad range of accessibility works that has improved movement and accessibility in many of our building, in particular the main teaching wall. In addition, the AAAFG has worked very closely with the Estates Project and Engineering teams to ensure that accessibility is at the core of the new design guide that is being written (parts of which are now going through the review and approval process).

During the last year, the AAAFG identified as an accessibility issue the lack of a fully accessible means for everyone⁷ to move quickly, safely and without assistance between the Street and the upper walkway on a 24/7 basis. The existing lifts within the immediate proximity of the Street (Restaurant, SUB, Careers, Library, Lecture Theatre, Arts) rely on the buildings they serve to be open for their lifts to be available from outside of the building; the exception is the ITCS lift which although available 24/7 is too far away from the Street to be a practical proposition and does not directly service the walkway level in question. From this review it was clear that outside of normal term-time opening hours (for the Restaurant and SUB in particular) there is not an available lift to allow disabled people (especially wheelchair users) to move between levels without having to take a tortuously long and exposed route which placing them at a distinct and unacceptable disadvantage as their

⁷ Including able bodied people as accessibility must be all-inclusive.

route is far longer and more exposed than the alternative route available to able bodied people.

The AAFIG, in November 2015, commissioned a feasibility study⁸ to look at the options for providing a new lift solution and from that study two proposals emerged of which the AAFIG agreed that option 2 appears to offer the best solution at the lowest estimated cost. This option proposes to utilise the existing lift within the SUB and through major modifications (including installation of a new lift car/controls etc) and building a new walkway to connect to the existing walkway it will be possible to use the lift to move between the Street and the upper walkway 24/7 without compromising the security of the SUB when that building is closed. In addition, a second smaller platform lift would be provided near to the Music Building to allow wheelchair users and those with mobility issues to move between the Street and the Music Building without having to take a lengthy exposed route (that is quite steep in places). This solution has the lowest cost yet also the lowest visual impact as well as addressing the issue of movement from the Street to the Music Building⁹.

Although there are presently many lifts on campus (and several within a short distance of the Street), none offer (or can offer) a solution to ensure the campus centre is a truly accessible place on a 24/7 basis which detracts greatly from the integration of our staff and students and provides a barrier to mobility when we should aim to reduce such barriers.

There will however, be a real impact upon the SUB during any work to provide a 24/7 lift such that this option must be considered in parallel with the requirement for an access/evacuation solution to the top floor of the building which was first highlighted to the AAFIG in November 2015.

The top floor of the SUB houses the main Student Union open plan office, the 'Grad bar' and some meeting rooms which are included on the UEA centrally bookable room system and are also used by student societies - thus the rooms and the floor in total should ideally be fully accessible but are not. The vast majority of disabled people are able to access the top floor as there is provision for evacuation of disabled people (who cannot self-evacuate) through the use of evacuation chairs allied to each person's personal emergency evacuation plan (PEEP) prepared by USS in conjunction with each individual requiring a PEEP. There remains a very small number of disabled people who are wheelchair users and unable to transfer from their wheelchair and for this group the top floor remains inaccessible as the existing evacuation chairs are unsuitable for their use. In addition, one of the two protected evacuation staircases is too narrow to allow a motorised evacuation chair (carrying the wheelchair and user) to be used thus we are unable to provide two protected means of escape which is a statutory requirement¹⁰. The situation is now exacerbated by the impending student union elections as one of the candidates is a wheelchair user who cannot transfer to an evacuation chair and if elected as a sabbatical officer will need to work with union staff located on the top floor. The student also attends several union societies that meet in the rooms located on the top floor. As the student cannot access the top floor (prevented from doing so through a PEEP), a management solution is required as an immediate interim solution. It is possible for the student societies (whenever required to do so) to meet in other accessible rooms and although ideally student societies should meet within their own building, meeting elsewhere is a reasonable adjustment to make. Pending the results of the election, locating the elected student on the ground floor would allow work colleagues to come to that office to meet and work together

⁸ Study report attached to this paper.

⁹ The Music building is being refurbished summer 2016 and will include an accessible toilet and internal lift – therefore providing easy access to the building from outside is vital and provides a holistic approach to accessibility.

¹⁰ We have trialled the only evacuation chair capable of accepting the type of motorised wheelchair commonly used and it proved too large to navigate one of the two protected staircases. Estates and USS has investigated this in depth and are satisfied that an evacuation chair solution alone is not possible.

when required and it may be possible for a few other key associates to relocate if required. Whilst this short-term solution is possible and should be undertaken, it is not a realistic permanent solution and the student (and future students in a similar position) would remain disadvantaged therefore there appears only to be works solutions remaining to ensure the building is fully accessible for the future. Due to the configuration of the top floor, establishing compliant travel distances has been difficult and a feasibility study may identify that more than one new evacuation route is required. To allow a rough order of cost to be established at a very early stage, two possible works solutions have been identified (although there is more work to be done related to travel distance compliance); one being the provision of an external ramp escape (leading toward the Registry Building from the main SU open plan office) and the second a new internal BS9999 platform lift. Both solutions would also require the provision of a new motorised evacuation chair to operate within the one staircase capable of taking such a machine – thus meeting the statutory requirement of having two means of escape.

In recent months a third issue affecting the SUB was brought to the attention of the AAAFG and also relates to the top floor of the SUB as it does not have a disabled toilet therefore whilst the floor is accessible to the vast majority of disabled people there is no dedicated toilet provision for those with serious mobility problems or who use a wheelchair. The project board managing the delivery of the recent well received refurbishment project within the SUB did identify the need for such a facility as part of the post project works and proposed using some of the project underspend to refurbish the existing male and female toilets on the top floor and add an accessible toilet. A subsequent re-assessment established that the cost had increased to circa £65k but that the refurbishment of the male toilets (including a fully accessible toilet) could be delivered for £48k; this was not taken forward. The University must regard itself at risk through this oversight as the requirement for a disabled toilet on the top floor is a reasonable adjustment¹¹ that could and should proceed completely independently of the other accessibility issues and this action is within the gift of the project board and the.

The contract period required for the delivery of a 24/7 lift provision (including lift cab manufacture) is estimated at about 26 weeks thus being mindful of the disruption to BAU that will be caused by the installation work, the reality is that delivery could not reasonably be achieved before the summer of 2017. It also makes economic as well as practical sense¹² to deliver any accessibility solution for the top floor of the SUB in parallel with the provision of a 24/7 lift.

The accessibility funding budget within the Estates Capital works programme is currently £250k this FY¹³ and £300k in future years. This fund was set up and continues to address a plethora of access issues resultant from (Statutory) access audits and over time will do so; it is also used to address current issues where they are affordable. The fund was never intended to deliver major project work in support of access issues but should such projects be supported through the existing budget, it would be to the detriment of the myriad of items arising from the access audits and would preclude the delivery of these item for the next two years.

The SUB should without hesitation be a fully accessible building allied to which, it should be possible for anyone using the campus to move freely at any time between the various levels within the Street as it is the centre, the heart of the campus.

The Director of Estates and Buildings tasked R M Wilkin (Estates Senior Project Manager - Technical), through the AAAFG with reviewing the situation holistically and presenting a paper to the Equality and Diversity Committee.

¹¹ The provision of the accessible toilet would be seen as a 'reasonable adjustment' under the Equality Act 2010.

¹² To deal with the planning issues that will be raised.

¹³ Remaining funds this FY are to be committed to the provision of powered door access in several buildings.