

Women and Equalities Committee

Oral evidence: [Disability and the Built Environment](#),
HC 631

Wednesday 23 November 2016

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Members present: Mrs Maria Miller (Chair); Angela Crawley; Mrs Flick Drummond; Ben Howlett; Jess Phillips; Mr Gavin Shuker.

Questions 53-105

Witnesses

I: Steve Quartermain CBE, Chief Planner, Department for Communities and Local Government, Mary Travers, Group Manager (Plans), the Planning Inspectorate, Councillor Izzi Seccombe, Chairman, Community Wellbeing Board, Local Government Association and Leader of Warwickshire County Council, and Trudi Elliott, Chief Executive, Royal Town Planning Institute.

II: Clare Devine, Executive Director of Architecture and the Built Environment, the Design Council, Julie Fleck OBE, MRTPI, Project Lead, Built Environment Professional Education Project Board, Simon Turton, Chair, National Register of Access Consultants, and Stephen Ware, Royal Institute of British Architects.

Written evidence from witnesses:

- [Department for Communities and Local Government](#)
- [Local Government Association](#)
- [Royal Town Planning Association](#)
- [The Design Council](#)
- [Julie Fleck OBE, MRTPI](#)
- [Built Environment Professional Education Project Board](#)
- [National Register of Access Consultants](#)
- [Royal Institute of British Architects](#)

Examination of Witnesses

Witnesses: Steve Quartermain, Mary Travers, Councillor Izzi Seccombe and Trudi Elliott.

Q53 Chair: Can I start by thanking all of our panellists for joining us this morning? We know how much time this takes out of your diary, and we are very grateful for your expertise in this important inquiry on disability and the built environment. We have an enormous amount to get through. If people could perhaps make sure their answers are as concise as they can be, then I will have a fighting chance of getting through the enormous amount of information we want to try to get through this morning.

You know the drill. Our colleagues have an array of questions to ask you. Before they do that, could you just say your name and the organisation you represent, so that people who may be listening to our broadcast are aware?

Cllr Seccombe: I am Councillor Izzi Seccombe. I am the chairman of the Community Wellbeing Board for the Local Government Association. I am also leader of Warwickshire County Council.

Mary Travers: I am Mary Travers, from the Planning Inspectorate. I am the group manager responsible for our work on plan examinations and plan engagement.

Trudi Elliott: I am Trudi Elliott. I am the chief executive of the Royal Town Planning Institute.

Steve Quartermain: I am Steve Quartermain. I am the chief planner at DCLG.

Q54 Ben Howlett: Hopefully you have had a coffee this morning, because I am going to go straight into the law side of things. What does the NPPF do to require local planning authorities to achieve an inclusive and accessible environment in general, but also in respect of housing in particular?

Steve Quartermain: To be brief, the NPPF, if you read it as a whole, contains a number of references to the need for not only good design, but inclusive design. You can pick it up in paragraph 7, where it talks about general principles. It is followed up in paragraph 17, in paragraph 15, in paragraph 59 and in paragraph 62. There are references to the need for local authorities to have regard to this issue throughout the document, which needs to be read as a whole and not cherry-picked.

Q55 Ben Howlett: Does anyone else want to comment on what the NPPF says?

Trudi Elliott: The NPPF is then backed up with the planning practice guidance, which goes into more detail about how you might do it and how you look at these issues, in terms of inclusive design and inclusive



planning.

- Q56 **Ben Howlett:** Do you feel that the balance between guidance and requirements is a correct one, in terms of creating an accessible and inclusive environment?

Mary Travers: We have to look at each plan on its merits, and each plan will be different to meet the circumstances of an area. But I believe that the NPPF, the PPG and the various other supporting evidence and the documents that Trudi and Steve have referred to together provide an integrated and sufficiently detailed set of principles and broad policies that inspectors then test in particular cases.

Cllr Seccombe: On more of a practical note than a technical note, as I chair my health and wellbeing board and the equivalent, I would probably pose a question. Do you feel confident that the health and wellbeing boards, which work on the information evidence base of the growing population and the changing population, have enough influence in the planning process and in the NPPF itself? How are they able to influence and design the communities of the future, given the demands around those? We know we have this changing, growing population.

- Q57 **Ben Howlett:** Have you identified any holes in the NPPF, in terms of that balance?

Trudi Elliott: I would not talk about a hole, but I would talk about a challenge. The challenge is the interplay between this and other aspects of the NPPF, and the issue of viability and deliverability. It is the interplay between economics and all the other requirements that have to be taken into consideration. If you talk to practising planners, whether in the private sector or in the public sector—my members are 50/50 between the two—it is often there that the challenge lies. What can a plan sustain, in terms of deliverable housing? What can an individual development deliver? That is where there is a real deliverability challenge for us all.

Steve Quartermain: We think we have a fairly robust and workable policy position with the NPPF and the guidance. The challenge, not only here but in all other aspects of planning policy, is the application. We can set out very clearly what we expect local authorities to do. The challenge is: do they do it? That is always the issue for us as a Government; how we can try to encourage people to do it. I suppose it is a bit about sticks and carrots. Sometimes it is about incentives, and sometimes it is about trying to ensure things are implemented in the way we think they should be.

- Q58 **Ben Howlett:** As we are talking about viability anyway—I was going to come on to this later on; we will talk about design in one of the later questions—is there a sense that commerciality is sometimes put before inclusivity?

Cllr Seccombe: There is a certain amount of that. How do you inform the planning process, when you have quite a high turnover of planners,



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who are under a lot of pressure to keep abreast of the day job? We have some evidence in the Local Government Association of the turnover of planning departments. Personally, my experience as a local member is that you can see an application go in with one planning officer and come out the other end with a totally different one. If you are lucky, it is only one change.

It is quite challenging for them to realise the information that is coming out of Parliament and the changing planning law, and to put that into place in the process of planning applications, when they are under a degree of pressure. For me, we have a role in changing the style and shape of housing and where it is, and all the interfaces that make communities viable and sustainable as they are getting older.

Are these being put in place? I do not think so. Does commerciality play an important part? Yes, absolutely, it does. We are an upper-tier authority. There is a discrepancy there. There is a potential gap as to how you influence districts in their planning law, and how those who filter the information out of the health and wellbeing board take that forward. There are some challenges.

Local authorities themselves have assets. They have used those assets, through partnership arrangements with the private sector, to try to influence the type of housing that will make sense for older and vulnerable people.

Mary Travers: I wanted to come back in on the viability and deliverability question. Inspectors have difficulty examining plans when there are policies in the plan that are going to threaten, potentially, the delivery of the plan. Policies have to be seeking to be effective. The purpose of the plan is to create development that is needed to meet the requirements of the area. Sometimes—in fact, very significantly in certain areas—the viability of the project is a challenge. If policies are not viable, the end result of the examination is that the policy framework may be slightly different. It may be amended, compared with what was initially put before the inspector.

The other particular challenge we have is checking whether the policies that are not in the plan should be in the plan, because the council has not done its job in properly evidencing what is needed. Currently, we are at a somewhat transitional stage, where councils need to do more evidence gathering on certain areas, including on accessibility and access to environments, to ensure that the policy framework they put forward at the examination stage is fit for purpose and succeeds.

Q59 **Ben Howlett:** I have a sense that, even when I used to chair a planning committee, it was clear that the planners would want to do it, but they might not necessarily have the opportunity or the incentive to. Is that a general sense within the system?

Trudi Elliott: The biggest challenge the system has at the moment, particularly in local government, is capacity. We commissioned Arup to do independent research looking at all the local authorities, whatever tier



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or type, in the north-west. The telling phrase was that most planning authorities are kept going on the goodwill of their planning officers.

Planning has seen the biggest cut in resources of pretty much any local government service—39% in places. There is simply not the capacity to do some of what is required. As soon as you have that level of cuts, you also lose your specialist officers. You have fewer planning officers, with less specialist advice, dealing with what we have seen is an increase in work on local plans, on neighbourhood plans and on the increased application and performance target.

My members who work in the private sector will always have their professional subscription paid, and will always have the necessary CPD funded by their employer. That is not the case in local government. Is it any wonder, then, that there is a move from people working in the public sector to working in the private sector?

We have to invest in people, particularly in areas like this. We know there is an enormous demand from our members for more ideas about what will work. You will hear in your next session about some of the collaborative work we are doing across the built environment, on how to translate planners' aspirations for inclusive planning and inclusive environments. But you have to have access. You have to have the time to do that.

We are doing a piece of work at the moment on dementia and spatial planning, based on demand. I will happily send you a copy of the draft. But we have to invest in our built environment professionals. It is worrying that that investment is not always taking place in local government at the moment—it is so under-resourced.

Steve Quartermain: We are hearing the issues being raised with us about resources. That is something the Government are very keen to engage with. In this regard, this is about elected members, who vote for the plans. They are the people who put their hands up and actually are supporting the plans. Yes, the technical work and the evidence is often done by professionals, but who would not want to vote a plan through that included policies for all its community? That is what the NPPF says. It should be an ambition of elected members and planning committees, as a full council. Who would not want to have an all-inclusive policy?

Q60 **Ben Howlett:** I am sure there is a will there. I was just wondering how many of them put that at the very fore of what they are thinking about. We will come on to some of those questions later on. Do you sometimes feel that inclusivity, disability and the built environment is almost a second side thought to the overall plan? Is that a general sense, within the system?

Clr Seccombe: I have to support Trudi in everything that she has said. We have done a very, very quick analysis. We are aware that there was a survey done this year of local authority versus private sector. It was a fairly small catchment, with 340-odd people. One of the questions asked was about how many anticipated leaving their profession in the next



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year. It was 20% in the public sector and 10% in the private sector. That demonstrates it.

We can go on and on, talking about the ceiling in the public sector, their aspiration to move into a greater job, their wage earning capacity and all those sorts of things, and the workload. The question asked was: why are you moving? Fundamentally, it is because of the pressure of workload. You have a huge demand on just getting the churn of applications through the system and dealing with all the legality around it.

This nice-to-do extra is not statutory. How do you create an environment that is going to be sustainable for older people? Are you talking about wider pavements in these areas, because there are going to be more mobility scooters? Are you putting in bus stops at the bottom of a hill, rather than at the top of a hill? Are you talking about where the shops sit? Are you talking about walking environments? These are all the things that make their lives worth living and keep them independent for longer. Those are nice-to-dos. They are not statutory.

Ben Howlett: If it is not statutory, there is a public sector equality duty, which makes it statutory. Do you feel there needs to be a strengthening in the law, particularly around the NPPF, to ensure that the statutory obligations are adhered to and streamlined systematically?

Q61 **Chair:** We will actually come on to that later. Rather than go through it now, I will bring in an extra point. Izzi, you were talking about nice-to-do extras. It might be difficult to put a monetary value on aspects of inclusion. Is that a barrier to doing inclusion?

Trudi Elliott: For planners, part of the reason that they came into planning is because this sort of thing, for them, is not "nice to do". It is what it is about. With planning, you are seeking to create places that work for everybody in them, where you balance the jobs, the homes and the environment.

Q62 **Chair:** Is it difficult to put a monetary value on some of those aspects of inclusion?

Trudi Elliott: We are taking a far too short-term look at some of these issues, particularly the public sector and Government. I would lay the responsibility for my asks here on Government, around how you monetise, as much as you can, in order to make relevant decisions.

I will give you an example. The national health service, at the moment, has realised that unless we do something up-front, we have a health bill we cannot afford. I sat on the panel assessing the Healthy New Towns initiative. That is all about absolutely designing for inclusion, but also thinking about what it might save, in terms of the bill further down the line. We have to get much cleverer at that sort of stuff. We assess transport infrastructure schemes fundamentally around congestion and speed, not around accessibility or the development they unlock. We have to get much cleverer. Government can affect behaviours and thinking,



and it needs to use its fiscal tools much more.

You have heard from Steve; you have heard from all of us. The planning tools are in the toolkit. It is everything else around it that you need to influence. Taking a longer term view—use of public sector land and all of that—around some of these issues, and not always being on a short-term financial cycle, will make the biggest difference.

Q63 Chair: Practically, you are on the receiving end of this at a local authority level. How do you get a monetary value into this?

Cllr Seccombe: We have invested in a lot of extra care housing. We are quite late to the table on that, but we have done it over the last eight years. There are others who were doing it earlier. I can tell you that we have quantified that we have £4,000 per year per person in extra care housing saving. If you start ratcheting that up, it is considerable, let alone the length of life they can have that is independent and has some quality to it.

That is just for older people. We are now doing extra care for learning disability and mental health, giving people the chance to lead the life that they want to lead, just to be as normal as they possibly can, with support. This is lifetime housing. It is not going to be for somewhere between two and ten years; this is forever. We have not yet quantified what that does, but it is good to do, apart from anything else. It is definitely reducing down the care packages. We have had people who have had very high intensive care packages. We know they have been reduced, but we have not been able to quantify that.

The only way we have been able to do that is through our assets, in an arrangement with the private sector. We put that asset base forward, as a peppercorn rent, with the private sector going forward, developing and delivering on the basis that they have a guaranteed income in the bank and they can go to the bank with that. It is not going to happen so well in the private sector on its own. It is those freedoms and flexibilities, the incentive to allow us to do it, that will then deliver the longer term benefit not just to social care, but to the health sector as well.

Q64 Ben Howlett: I would like to ask a specific point in relation to something that Trudi put in her evidence—hopefully it does not cross onto anybody else's patch. Trudi, your submission suggests that a more proactive approach to planning could really help with local planning authorities achieving greater inclusivity. I wonder if you can expand upon that particular point in written evidence, and how it operates in practice.

Trudi Elliott: The shining example of inclusive planning and delivery is probably the Olympics. That was all about proactive planning, and using every tool, planning and non-planning, in the box. If you look at that, one of the biggest sets of tools that we have not talked about there was procurement. By the time an application gets to planning, we have missed too many moments. In the Olympics, the planning tools were aligned with the procurement tools. That is a very, very powerful way



forward.

In terms of strategic planning, the more you plan proactively, the more you can ensure that the things that need to join up, like where the housing is and where the transport is—the things that impact on inclusiveness—really make a difference. We have just done a piece of work looking at the location of development. Even given all the constraints we have talked about, planning authorities are doing a pretty good job at placing housing near transport infrastructure and jobs, which is one of the fundamentals. But the more a local authority can shape its place and engage its community in how they do that, the more chance you have of making the whole place inclusive, rather than just an individual scheme or building.

Q65 Ben Howlett: The National Infrastructure Commission has been set up by Government. It is anecdotal at the moment, obviously, because it has not necessarily got its feet underneath the desk, but do you feel that it is starting to engage in relation to inclusivity and disability as well, as it looks at these major infrastructure projects?

Trudi Elliott: I cannot really comment on that, in that I have not engaged with it directly. But I know that a number of the people on the commission really understand this agenda. One would assume so, yes.

Steve Quartermain: It is worth noting that the Olympics, although it had an end date it had to be ready by, used a planning system that existed; it was not a separate planning system. It was a current planning system that delivered that in the way it was delivered. It goes to show that, in our view, the processes and the systems are there to enable it to be delivered.

Q66 Jess Phillips: I would like to move on to the idea of “good design” and what that means. The NPPF says that permission should not be given to “poor design”. I just wonder what your opinions are on whether inaccessible design is poor design.

Steve Quartermain: Obviously, the answer I will give is that the judgment is for the decision maker at the time. But you have asked for an opinion. I go back to my point earlier. If you were dealing with an application, and your ambition was for an all-inclusive design, why would you not have that ambition to see it achieved through the planning application you were dealing with? I would say the NPPF is clear that it expects good design to have inclusivity as part of it.

Mary Travers: I would agree with that. Design is essential. It is part of good planning. At various policy levels, whether they are high-level policies in a strategic plan or more detailed design policies in a plan for a specific area that is going to undergo significant growth, the policies need to find the hooks and the triggers to ensure that those principles are carried through in the detailed design implications for the development.

Q67 Jess Phillips: If, for example, a planning application came in and did not meet the definitions of inclusive design, should it be refused?



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Steve Quartermain: In any decision a planning authority makes, they weigh up the balances of the merits of the whole scheme. Inevitably, authorities will sometimes find themselves making some trade-offs.

Q68 **Jess Phillips:** Are there areas where there is no trade-off, ever?

Steve Quartermain: The stock answer, I am afraid, is that it is in the facts of the case that you are considering. There is no generic answer that I could give to say, "There is always a case where you must refuse it." I would make the point that it is really important for people to realise that design is not just about appearance; it is also about functionality. Functionality and that holistic approach to design are critical to considering applications.

Trudi Elliott: It is worth noting, as well, that there are an increasing number of situations where the planning authority is not the decision maker. In particular, there has been an extension of permitted development rights around conversion of office buildings to accommodation. I have not seen any evidence about what has meant for the accessibility and inclusiveness of those developments.

What we have expressed concern about, and I think the LGA has too, is that the more that happens, the less ability a local authority has to shape its place. We cannot assume that everything that is being converted or developed at the moment has been the result of somebody making an express planning permission. Building regs are a separate thing, but that is in terms of planning.

Q69 **Jess Phillips:** Do you think that, in practice, lots of things get through every day that are not good design, in the sense of accessibility?

Cllr Seccombe: On permitted development rights, that definitely concerns us. We are seeing these conversions because something might be deemed "not viable". It has a change of use. It has to go through that change-of-use process. But we all know there is a way of delivering change of use and saying, "This is not viable as a commercial property any longer." We see flats and apartments going through that there is not that control over. There is not that same level of quality and assurance that we would wish to have. If these houses are going to be deemed suitable for those with challenging needs, the on-cost to social care will be year on year on year. Fundamentally, we do not support that.

Steve Quartermain: Within the building itself, building regulations will apply. The standards that are set out within building regulations will apply. Obviously, the challenge is, in terms of the external design, the access in the public open space, which is not covered by building regulations. That can be an issue for you.

Trudi Elliott: Let's not be entirely defeatist here. If you want a building, a home or a place that is truly accessible, you stand much more chance of it being accessible if it is a recent development that has been through the planning system, than the more challenging existing environment. One of the bigger challenges for us is what we do with the



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existing stock.

Jess Phillips: I live in a Victorian house. No one could fit a wheelchair in there.

Trudi Elliott: It is about how our additions to a place also help the existing place, not just the new bit of it, in terms of inclusion.

Q70 **Jess Phillips:** On different planning committees, are there any specific statutory consultees? For example, if you are going to build on a playing field, you have to ask Sport England. Is there anyone who has a watchful eye over accessibility, who has to be called in to give an opinion?

Cllr Seccombe: I do not think there is, on that. I have to say that NHS England has a role to play. Does it play its role? It is more about access to GPs and that part of it, not about housing and the sustainability of housing. My comment at the beginning, which was about how you link with health and wellbeing boards, is a challenge. You have hard-pressed local government budgets. This is not a statutory requirement. It would be a nice requirement if we could try to influence that. In two-tier worlds, the two departments do not even sit in the same building.

Jess Phillips: We should build them one.

Cllr Seccombe: Give me the money.

Steve Quartermain: Streets and roads make up about three quarters of open spaces. The Chartered Institution of Highways and Transportation has a "Manual for Streets". It is subject to review. That sets standards and is used by local authorities. I would expect local authorities to be able to call upon that technical advice.

Q71 **Jess Phillips:** It is not necessarily about calling upon it, but they have to ask for an opinion. For example, where I live, Severn Trent will not necessarily get asked if something is going to be built. Then, when it floods, everybody says, "Oh, it flooded." A role like the one Sport England plays is an interesting one. Is there anything like that safeguard in place?

Steve Quartermain: Sorry, I cannot let that pass. The flooding issue is completely separate. The Environment Agency is required to be consulted.

Jess Phillips: But the local utilities organisations are not.

Steve Quartermain: But the Environment Agency will give the advice on flooding and has its flood maps. This is particularly relevant now. I always look to see whether the properties that are being flooded on the television are post-1947. Have they been built recently, or are they before the planning system? But there is a process for taking advice on board. We do require it.

Jess Phillips: But there is not one on accessibility.

Chair: The point is that there is not one on accessibility. Steve, I take your point on flooding. The Environment Agency does have a strategic



role there.

Trudi Elliott: This question also links to the requirement, both in the local plan process and in relation to individual applications, for consultation and engagement. If you look at places that have done inclusion very effectively, it is very closely linked to how they have gone about engaging with their community and how they have managed to take on board the advice of specialist groups. The Plymouth plan, for example, is a very inclusive plan: both their plan and their plan for housing. You can trace that back to the way they engaged all sections of the community, and the political aspiration that they had for a plan that was inclusive.

Q72 **Jess Phillips:** Trudi, your submission argues for the professional culture where “inclusive design” is considered as “good design.” Do you think that the Government’s policy currently supports this ambition?

Trudi Elliott: As Steve has indicated, it is there in the NPPF. It is there in the planning guidance. Our planners are trained to do it. It is the whole wider environment around how you drive delivery. You cannot just rely on planning or, indeed, building control. There are some other powerful tools.

Really, if I was making an ask of you, it would be this: it is not more tinkering with the planning system we need here; it is for Government to set the tone. It is the use of all the other tools, fiscal and procurement. It is about giving people the capacity. We know how to do this stuff, but you have to have the ability and the time to do it. Your average member of the community wants places their elderly mother can use and wants to be able to push a pram. All these things are the same requirements as if we want to make a place inclusive. It is not just for a group over here; this is for everybody.

Q73 **Chair:** Which is the biggest lever to pull, Trudi?

Trudi Elliott: I will give you an example. I do not know the detail, but it was flagged this morning that the Government are about to invest significant money in affordable housing. The strings with which that money is given are a massive lever. I would say that you have the planning tools here. You have planners who know how to do this, and politicians and communities who want it. It is all the other levers. It is the central Government’s lever. It is the public sector land. It is funding. It is the fiscal tools. It is the financial argument. That is where we have to do more work.

Cllr Seccombe: If there was an ask, we would be asking, as the Local Government Association, for flexibilities, and for local authorities, who know their communities, to be able to design. I really like the point about procurement sitting alongside planning, ensuring that we have the ability to shape the communities we want. Fundamentally, if we can do that, we can take the sting out of a lot of the planning applications that go through, because they will make sense to the local communities, which will have the ambition to move into the sorts of houses we are



building.

Mary Travers: I do not have much to add, really. We agree with what has been said on both sides. There is perhaps less involvement by special needs groups at local plan examinations than one might expect. We ask ourselves the question: is that because the plans themselves are doing as much as they should do? They are not everything, as you say. They are only part of the greater picture. Is it because they have been sufficiently involved in the process and are content with it? It is a difficult one for inspectors to answer. I will leave that thought.

Q74 **Mr Gavin Shuker:** I just wanted to ask some factual questions, to start off with, around local plans and what we know about them at the moment. Steve, I suspect you probably know off the top of your head the number of local plans that are in train. Sorry, I have put you on the spot.

Steve Quartermain: Not at all. We know how many local plans have been adopted. We know how many plans have been submitted to the council. We know that now only about 48 councils are still in the process of publishing a plan and have yet to take it forward. We are very pleased that more than 80% of councils have now published a plan. We have made great progress. The challenge is how many of those have the policies in them that you think are relevant.

Something like 76% of the plans, when we looked at the housing standards review, had policies in them that either were linked to lifetime houses or were policies of that nature. The challenge for us is to recognise, since we did the review and changed the building regulations and the approach to what policies could go in plans and what could not, how many of the plans predate that, and how many of those plans would now need to be reviewed to take that into account.

Q75 **Mr Gavin Shuker:** Do you know that answer?

Steve Quartermain: No, I do not.

Q76 **Mr Gavin Shuker:** What kind of assessment framework do you have, as information about local plans goes through? Is there a formalised process within DCLG to look at each local plan and assess it based on its accessibility and inclusivity?

Steve Quartermain: Absolutely not. That is not an oversight on our part. It is not our role. The local plan is a local authority document. It is their plan. It is a bottom-up plan. Although I made my point earlier that the Government believe that they have a robust framework, and want to help delivery of plans, it is not a top-down system; it is a bottom-up system. It is the local authority's plan. It is a neighbourhood plan. It is a local council plan. The content of it is theirs. It is tested and examined by the Planning Inspectorate. We do not get involved in the assessment of whether it is a good plan or not in DCLG.

Q77 **Mr Gavin Shuker:** I understand the philosophical point around where accountability should lie with elected members. I completely get that. Is



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there a process by which you are gathering data from these plans in a formalised way, to try to assess how many of them meet the kinds of standards that we would expect on accessibility and inclusivity?

Steve Quartermain: Not since we did the research on the housing standards review.

Cllr Seccombe: I agree. We understand that 85% of local authority plans have been passed and agreed. Having been through the plan process, it is a painful one. I am sure you will all understand that. They are driven by the need for housing and the economic development side. Fundamentally, if you have more economic development and you are ambitious in your area, you want to grow that. That is important as we move into business rate retention, which is going to be the key means of local authorities being funded in future.

Every time you build your economic area, you have to start building more housing numbers into that. In Warwickshire, we are sitting on the edge of the west midlands conurbation, and we have the duty to co-operate. All these tensions are changing the profile of how you develop your local plan around the sustainability issues. Back to capacity, again, there are limited resources in local authorities trying to drive forward plans.

With all these demands and tensions, there has to be some give. Fundamentally, the link with health and wellbeing boards and how you are driving forward the intentions out of that and out of the JSNA, as well as knowing your population growth, is missing.

Q78 **Mr Gavin Shuker:** Would members of the panel agree that there is scope for a large range, in terms of practice around access for disabled people and inclusive design, within the local plans?

Mary Travers: Do you mean a large range in terms of coverage?

Mr Gavin Shuker: I mean in terms of how well you think those plans are doing.

Mary Travers: I can provide, perhaps, a partial answer to your original question to Steve, about where we are, in terms of the suitability and the success of current plans in addressing the accessibility issues. Most of the plans that we are currently examining in the inspectorate for soundness that one might expect to have more advanced optional standards for housing are not necessarily showing those policies or showing the evidence that would justify them.

The reason for that goes back to what we were talking about earlier; it is about the time it is taking for plans to get to the examination stage, the resources that are available to do that work, and the fact that many authorities have not had the opportunity, for whatever reason, to do the work, to produce the evidence and to amend the policies in plans that we are currently seeing so that they are fully in accordance with what one might expect from the NPPF and PPG.

I believe that work is ongoing. We certainly see indications from authorities that they are proposing to review aspects of their plans,



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particularly the accessibility policies, and to bring forward a set of policies, if they are needed, as quickly as possible. The only general exception is London, where, because of the London plan, the London borough policies are much more in keeping with what NPPF, PPG and the new housing standards would now expect.

Q79 Mr Gavin Shuker: Would it be fair to say, from what you have just said, that the majority of the plans that you are looking at, at this stage of the process, are not meeting the standards we would accept around access for disabled people in the built environment?

Mary Travers: I would not want to say that they are not. In many cases they are putting in policies that are encouragement policies or desirable objectives. They may not have the clout of a specific policy with a set of defined proportions of housing that should meet certain needs. They generally are not, in my knowledge, quite at that stage yet.

Trudi Elliott: We have to be careful not to define “inclusivity” in a plan only in terms of whether there are policies around percentages of inclusive housing, important though that is. For truly inclusive planning and environments, what people need is for the place, not just the house or the home, to be inclusive.

We are doing better than these answers might have suggested in trying to make places more inclusive and accessible. That is very difficult. It is a long-term piece of work, because so much of the built environment exists. Few plans do not have aspirations about more integrated transport, a balance of access to services, the centrality of where your health provision goes, increased green space and increased walking.

A plan is about shaping a whole place. When we do it properly, it makes that place more sustainable. For me, “sustainable” equates to also being inclusive. Housing is important, but it is but one aspect. The whole challenge of inclusive housing is part of our national challenge at the moment, which is to build enough homes of the types we need in the places we need them in a timely manner. We are doing better at granting permission for those, but we are not improving at the moment around the delivery of that housing and the affordable housing challenge.

Often there is a correlation between somebody’s health needs and economic circumstances, and their ability to pay in the marketplace. The challenge we have around affordable housing nationally is a massive delivery challenge.

Q80 Mr Gavin Shuker: As I recall, the NPPF requires local plans to be “aspirational but realistic”. Is it a feature of this aspect of our planning framework and system that some plans will be more realistic and some will be more ambitious around inclusive design and accessibility for disabled people?

Steve Quartermain: It is fair to say that the very thing that Trudi has just been talking about is what we set out in the NPPF as our ambition for plan making. It is that holistic approach. The short answer to your



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earlier question is yes. If you get more than 300 authorities each writing their own plan, there is bound to be variation between them.

Q81 Mr Gavin Shuker: It is a feature of the system, as we have designed it, that there will be diversity.

Steve Quartermain: We accept that there will be different approaches in different parts of the country, because different plans need to cater for different environments.

Cllr Seccombe: It goes back to the flexibility of local communities who know their own community, and trying to shape the plans around those communities. In Warwickshire, we have some very diverse districts. Certainly, the south is a nice place to go and retire. Inevitably, we have a growing ageing population, more in the south of the county. I can recognise, in the agreed local plan, the need for ageing housing.

However, we also have an opportunity within those developing plans to shape the community, so that you do not overbalance it one way or another. Bear in mind that, if we are keeping people at home longer, and independent for as long as possible, there is a need for key worker housing in those areas to support that. Inevitably, there is a cost involved. Certainly, in the south of the county, there is a very high housing cost. We have to look at shaping mixed communities that are going to work together and support each other.

Q82 Mr Gavin Shuker: Thinking about plans that are ambitious around inclusive design and accessibility for disabled people, as a local government leader, what do you think is the single biggest input at a local authority level that can encourage these plans to be ambitious?

Cllr Seccombe: I would again stress the flexibility of communities to shape their own plans. Key worker housing is really important, when we are looking at the affordability of managing home care, if we are going to be doing that. I currently have a 45-minute travelling time for home care there. I have to do a little advert. I have brought along a document that the Local Government Association has produced called "A home is much more than a house", which is really about the whole totality of shaping communities that are sustainable. We can let you have that online as well.

Trudi Elliott: The biggest thing is political leadership. We have to acknowledge that you can have all the aspiration in the world, but politicians are working in very different economic markets. London has calculated that its market will stand 90% of properties meeting M4(2) and M4(3). In some very economically challenged places you can have all the aspiration in the world but the market will not generate enough return for schemes to deliver the affordable housing. Then you have to be much more creative, using local public sector land and all of that. There is quite a lot of creativity, I would say, going on in local government at the moment around how to deliver homes in challenging environments.



Q83 Mrs Drummond: I am aware that we are very short of time now, so I will be quite quick. We now come on to the public sector equality duty, which Ben mentioned earlier. We had some evidence that local authorities are risking a lack of compliance with the public sector equality duty, because they are not taking disabled people into account. I know it is not mentioned in the NPPF, but how does the public sector equality duty influence local plans and planning decisions? With these local plans, are the local planning authorities able to show that they have had due regard to their equality duties, as part of the examination of the local plans?

Cllr Seccombe: I am not technically involved in it. I would just say that I do not think any local authority intentionally avoids its duties. They will all want to fulfil the duties of compliance in trying to meet those needs, and trying to understand the communities that they are serving. However, I have to go back to the capacity issue, the turnover, the professional development of local authority planners and, indeed, as you have talked about, Trudi, building regs moving that forward into the next sector. It is a significant issue.

Q84 Mrs Drummond: It needs to be strengthened. It is just literally the training, then, of the planning officials.

Cllr Seccombe: It is that learned knowledge, and moving it through the system. I will be honest: I am very concerned about it.

Steve Quartermain: It is law. The duty is there. It applies to Ministers when they are taking decisions, and there is a duty on local authorities to have regard to it too. It is not optional; it is a duty. From our point of view, for decisions within the Department, we always have a PSED section, to say, "This is the requirement." We would look for that to be played out in local authorities too. It is a duty. It is the law.

Q85 Mrs Drummond: You are finding it in the local plans, but I assume to different degrees over the different plans.

Steve Quartermain: Mary might be able to answer that more specifically.

Mary Travers: I certainly want to make it clear that inspectors are very thoroughly trained. It is an individual duty on them, in carrying out a public function, which is examining a plan. They are fully aware. In fact, we have a 29-page document on human rights and the public sector equality duty for inspector training, which we can provide for you, if you would like to have that.

In an individual examination, an inspector will be looking at this. I must emphasise that it is an integral part of their work; it is not an add-on. It is fundamental to their consideration of soundness. When an inspector reports on a plan examination, you will not necessarily find a section on the PSED in the report. The reason for that is because, as I say, it has been integrated into their considerations throughout. If they do not find a PSED issue, an impact that would perhaps suggest that the duty has



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not been properly fulfilled by the authority or anything of that nature, there will not necessarily be a reference to the PSED in the report. That is why it is not there.

I have to say that it has been very rare that inspectors have come across and found evidence. They do probe for the evidence. They do not just take what is put in front of them. Where they have had concerns—and they have been very rare—they are mentioned in the report. The process that the inspector, as a decision-maker, has to go through is explained there, as to whether something would have such a negative impact that a policy should be rejected or changed, or indeed the plan itself should be rejected. There are various options that the inspector would need to consider in testing it at that stage.

Q86 Mrs Drummond: But the law is in place.

Mary Travers: It is fundamentally in place, and it is very consciously applied by inspectors.

Q87 Angela Crawley: What evidence is required to show that a local plan makes sufficient provision for inclusive design and access for disabled people? Has the inspectorate ever refused to approve a local plan because it did not demonstrate how its policies would address access for disabled people or inclusive design principles?

Mary Travers: It is perhaps easier to jump to that second point straight away. I am not aware that an inspector has ever found an entire plan unsound because of an issue about inclusivity, access or place-shaping design that might discriminate against those who have special needs. The reason is that there are, in many cases, ways of addressing that. The inspector will be looking for ways to address something that is unsound by working with the authority.

It may be that the way of doing that is not necessarily in the plan itself. It may be in a subsequent plan, depending on what the authority is proposing to do in its set of planning documents. It may be that a modification to the plan can be made that would provide the certainty that the issues will be addressed, by some means or other, if not necessarily in a policy, in subsequent actions that the council will take.

Q88 Angela Crawley: Specifically, what evidence is required to show that a local plan makes sufficient provision for inclusive design or access for disabled people?

Mary Travers: There is not a list of documents that the authority must supply to the inspector in that specific regard. I am glad to say that the majority of planning authorities submit for examination, with their plan, an equality impact assessment. That is helpful to the inspectors, in understanding the process that the authority has followed through and the way it has self-appraised and critiqued what it is doing.

Beyond that, the evidence that inspectors will look for tends to be case-specific, depending on the topic that is relevant to that plan. If it is something, for example, that is setting out a major new area of



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development, the inspector will look to see that the evidence shaping the policy has reasonably informed the policy. It may be quite high-level stuff. In many cases, at the plan examination stage, we are dealing with fairly high-level policies that need to be followed through in detail, through planning applications, masterplanning or design and access statements, and so on. The level of evidence that the inspector would need in those areas is proportionate.

Cllr Seccombe: Technically, I cannot make a comment about the local plan. However, what I would just say, and you touched on it, is that they do become a bit subject-specific. A planning application might come in for a specific purpose around, for instance, extra care housing for the elderly.

I will give an example. In Warwickshire we have a number of army bases. We have had some particular issues about returnees from Afghanistan with disabilities, and the appropriateness of where housing is for these people in the future. It is not going to be in some remote mansion house that has been turned into flats. These are young people who want to lead a life. They want to go to the pub. They want to go to shops, and things like that. It is about how you can create a community for them that will help and support them, and give them the best chance of leading a normal life.

They become subject-specific to small, specific-need groups. Again, there are hidden issues around mental health and where you want houses for them. Is it appropriate to have it in a very noisy environment? It is about taking those particular concerns into mind. The generality of the local plan is too big. It is about allowing the flexibility, locally, to recognise your communities, what you have within your communities and how you can support them.

Chair: Thank you very much indeed. We could have gone on for a lot longer. I apologise that we have overrun. Can I thank you on behalf of the Committee for your time this morning, and also for the written evidence that a number of you have given us and for your expertise? Thank you very much.

Examination of Witnesses

Witnesses: Clare Devine, Julie Fleck, Simon Turton and Stephen Ware.

Q89 **Chair:** Thank you very much for joining us for this second panel in today's evidence session. Can I thank you on behalf of the Committee for taking the time to be with us this morning, and for the preparation that I know you will have had to do? We are immensely grateful. I want to move swiftly on, but before I do that, perhaps you could say your name and the organisation that you are representing this afternoon.

Clare Devine: My name is Clare Devine. I am the executive director of architecture and the built environment at Design Council Cabe.

Julie Fleck: I am Julie Fleck. I am the built environment professional education project lead, currently based at the Construction Industry Council.

Simon Turton: I am Simon Turton. I am here as the chair of the National Register of Access Consultants.

Stephen Ware: My name is Stephen Ware. I work as an architect's assistant. I am here representing RIBA.

Q90 **Mr Gavin Shuker:** What do you think should be the basic minimum standards for built environment specialists?

Clare Devine: It is important, clearly, that there is an understanding across built environment professionals about access in building regulations. We certainly feel it is important that there is an understanding of inclusivity across built environment professions. That is something that we do not think exists at this point. It is an improving position.

From our perspective, in 2014 DCLG instigated funding to support an inclusive environments hub, which Design Council Cabe developed with the built environment institutes, organisations and industry. It was developed to start to look at this issue, because we recognised it was of such significance.

I remind the Committee that there are 600,000 built environment professionals designing today. Many of them have little or no training in inclusivity. They understand accessibility, but they do not understand inclusivity. I would support the institutes in the really good work they are doing to make this part of training for built environment professionals, but I would emphasise that there is much to be done.

Julie Fleck: I can say a little about the BEPE project. We have already heard this morning a bit about the Olympic and Paralympic Games in London, and how not just the planning system but the whole process was an inclusive design process. Out of that emerged from the Paralympic Legacy Advisory Group a piece of work to look at knowledge and skills in



the built environment professional area. I have a report, which was produced by the Government in March, which gives an update on that project.

With that, we are looking at really embedding inclusive design knowledge and skills right across the built environment professions: not just in planning, but in architecture, design, landscape architecture, surveying, engineering and facilities management. It is a very, very big job to try to shift some of the knowledge and skills, and really embed it into the training programme. We have had some good support for that from the institutions.

There is a lot of support in principle. It is harder to get some actual actions going. Even there, we have heard from the Royal Town Planning Institute this morning. It is doing a lot of work around that. The RICS is. Some of the other big institutions are also helping us to change our accreditation criteria, so that universities are required to embed inclusive design knowledge and skills into their training programme. It is taking time. It is very helpful that the Government are supporting the project. We hope there is continued support in that from you.

Simon Turton: From our perspective, as the NRAC, we accredit access professionals. We are probably somewhat different from a lot of the built environment professions, which, in their own areas of expertise, are very good on the things that they do. Inclusive design is often seen by a lot of the professions as something either somebody else does or that they do or apply in respect of their specific activities. As an example, many built environment professionals will be aware of part M of the building regulations and will design to the features in the approved document to part M.

What is lacking, in terms of training on a specific level for built environment professionals, is what the consequences are of not doing something, and why those features are designed as they are. It is about the human factors of things. It is about understanding why there are so many grab rails in an accessible toilet, for example, and what the consequences are if one of those was missing or was in the wrong place.

Quite often, it is seen as a compliance-based thing. It is actually a human aspect of how people use and interact with buildings. From my perspective, a lot of the built environment professionals that I have come across do not appreciate that level of detail, of how they are actually applying the nuts and bolts of their professional expertise.

Stephen Ware: At RIBA, we accept that there is sometimes poor design that does not match. There is often not enough information about disability and wheelchair access. There needs to be more detailed inclusivity for different disabilities, such as blind people and deaf people. People looking at access to buildings and looking at views need to improve that and really look at disability needs. We just need to increase awareness of architects, planning officers and everybody in the built environment, so that they understand better how to improve the process.



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- Q91 **Mr Gavin Shuker:** It sounds as though, of those 600,000 or so professionals that we are talking about, knowledge of accessibility is much improved, but on inclusivity we are still lagging behind. That was your evidence, Clare. Would that be a fair summary? People would not necessarily disagree with that analysis.

Clare Devine: To add to this, there are proactive approaches being taken. As I noted, DCLG instigated and funded the inclusive environments hub, which is a digital portal with best practice, case studies and examples of inclusivity. Following that, there is the inclusive environments industry action plan, which has been signed up to by many of the built environment institutes and organisations. We are one of the signatories as well.

This industry action plan, again supported by DCLG and DWP, is looking at how we can come together as institutes to look across this issue, and look at best practice, training, support and championing of inclusivity. There is activity happening. The RIBA, within its CPD training, has a requirement for all its members to take at least two hours of inclusivity training, which is a fantastic initiative.

- Q92 **Mr Gavin Shuker:** Could anyone explain to me the level of knowledge, compared with, perhaps, another aspect, such as fire regulations or energy regulations? Benchmark it for us.

Julie Fleck: I can say a little about that. We did initial research to establish the BEPE project. Inclusive design is being taught in universities and colleges and is part of the assessment of professional competence in a lot of the institutions. But it is very varied across the country. It is very patchy. In some places it is very good. In other places they will get a lecturer in for a Tuesday afternoon and that is it.

Quite often, it is specifically around building regulations, which is a minimum standard of accessibility. You heard in the previous session from the Access Association and the British Standards Institution about best practice and about BS8300. The level of knowledge in that really detailed area of BS8300 is patchy.

How easy is it for all those 600,000 professionals to be conversant with a very, very detailed British standard? Personally, I would love them all to know it backwards way forwards, but we have to recognise that that is maybe not going to happen today. Perhaps it will once we have embedded inclusive design into the training.

The construction industry is very, very fragmented. It is not just a planning or a building control issue. We must embed inclusive design right at the very beginning of the process, which is what we did with the Olympic and Paralympic Games, and embed it into the strategic thinking, into the procurement process, into the funding and budgeting, from day one.

The client should really want to engage with the whole inclusive design agenda, even if you have very knowledgeable people further down the



line. I heard from some architects only last week about how they had designed a very, very accessible scheme, but the client then value-engineered a lot of those accessibility aspects out, because they said, "We do not have to do it. All we have to do is comply with part M of the building regs. It is too expensive."

If you are really clever and really creative, sometimes you can design in the accessibility, and it is really hard to value-engineer it out, however hard you try. You have to be really knowledgeable about the detailed standards around accessibility. We do tend to revert to the legislative minimum, rather than think about inclusive communities, as we heard from Trudi and the RTPI, and that much broader aspect of lifetime neighbourhoods and inclusive spaces.

Stephen Ware: When I was working on a particular project recently, it was an old building, and they needed me to refit and completely change it. There were five stairs, and we were thinking, "What can I do to make that accessible?" It was a flat area. For wheelchair users getting access, most of the reception was fine. When you get into the building, it was fine.

There was a famous person who had this building. We wanted to put in a lift to make it accessible, but the client was not happy with that. There were a lot of arguments. Eventually, it was decided that they did not want that. It did not look right. They said, "We are not going to put that in." It is very frustrating that that part of it means that the building is not accessible. We put in stairs, but there is now no lift to another area, to the basement. It is very disappointing.

People need to recognise that we need to be looking at the needs of disabled people. If they want to do a particular course or whatever, they need to have the support. If they cannot access one area of the building, that is causing a barrier for them.

Q93 **Mr Gavin Shuker:** There is a construction industry action plan in place to tackle this issue. Why has more progress not been made?

Simon Turton: I am also a chartered building surveyor by profession, so I work within that industry as well. It is not necessarily about trying to make everybody professionals in the access world. You are not trying to make loads and loads of people experts in inclusive design. It is more about making people understand the human issues, which is a point that has been raised by my fellow panel members already, but also making people realise where that knowledge ends.

It is not about making them know things necessarily, but making them know that, when their knowledge runs out, they need to get an access professional in. With fire regulations, for example, as you mentioned, most building surveyors I know will know how they work and what the legislation is, but they are not fire engineers, so they will call in a professional who will respond fully on those matters.

For us, as the NRAC, that is really where we see one of the issues being.



It is not about trying to make everybody fully competent, but making people understand where their knowledge ends and when they need to get further help and assistance.

Clare Devine: We could reinforce that by saying simply that it is about a general understanding. Perhaps I could describe to you the context that makes an inclusive scheme, because it is absolutely achievable. We have heard about the Olympic Park. I will touch briefly on that, but perhaps on another scheme as well.

For the Olympic Park, there was a policy that included inclusion and equality within it. That, in turn, related to a strategy that embedded equality and inclusion. As Cabe, we had a quality design review panel, but also a built environment access panel, the first in the country. Every scheme came to us. Every building and every open space was reviewed, to understand whether inclusivity was embedded.

The engagement was inclusive of the public. It was seen through every stage of the design and development, by all of the parties engaged. The end result was a place that is regarded as being socially and physically inclusive. The Olympics is an exception, because there was a very particular set of circumstances, but we are seeing good examples elsewhere in the country.

Only yesterday we were speaking to the Everyman Theatre in Liverpool, which is an excellent example of inclusivity. Once again, the client decided that inclusivity was key to the scheme. He embedded it into the brief. They brought into the programme an inclusivity group to review the schemes. These were local people engaged in the process. They embedded it within the design team. There was an access consultant on the team. The design process allowed for review, and we did review the scheme to see that it was inclusive.

What has happened as a result of that scheme? It was embedded at every stage through to construction. The end result is that there are 25% more ticket sales to people who have access issues. There was a 25% increase within two years of it opening. There was 25% more access for those who come from disadvantaged backgrounds to the theatre. It is publicly promoted and regarded as a benchmark for inclusivity. This is a £13.5 million scheme. We have seen smaller schemes in that realm. We are seeing public spaces. It is possible to adopt this, but it is a consistently adopted approach throughout.

Mr Gavin Shuker: At the end, if we have time, we will return to the question about the construction industry, because that is an important one, but we are really tight.

Q94

Mrs Drummond: First, I must declare an interest: my daughter did architecture at university. I have checked with her this morning—she is in Australia, so it was a bit tricky. She did a whole module on inclusivity and on disabled stuff. That was at Northumbria University.

What are the actual barriers to these training institutions? Does the



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RIBA, for instance, not lay out the course anyway so that it would include the disability bit? If there are barriers, how can we overcome them? How long is that going to take?

Julie Fleck: Yes, the RIBA and ARB—the Architects Registration Board—have accreditation criteria. They are very general and very high-level. I have had discussions with them. When they are planning to review the criteria, hopefully next year, they will be a bit more explicit about schools of architecture teaching inclusive design. As you say, there are some really good examples, like Northumbria University and the University of Reading. There are others out there that are doing it very well.

The difficulty is that the universities are in partnership with RIBA and ARB, etc. It is the same with planning schools. The criteria are very high-level. The institutions work in partnership with the universities. They are not going to dictate, “You must run a module on inclusive design, and this is what it must include.” It is obviously down to the universities to work out how to teach that.

My personal anxiety is that sometimes it is about teaching the teachers, and making sure that the teachers themselves have the knowledge and understanding. They could be using members from the NRAC, the Access Association or local organisations for disabled people to come in and help teach.

There are some good examples. There was a good example in the University of the West of England, where they went out with disabled people in the street and did access audits, as part of their planning training. There was another example in the University of Liverpool a couple of years ago, where they worked with a local organisation of people with learning disabilities, as part of the heritage planning project. There are good examples, but it is up to each university as to how it is going to teach it.

Of course, they are asked to embed sustainability and health and safety. There is lots and lots of new stuff coming into those curricula. There is a challenge there. We have to look at not just the university training, but the route to professional membership and continuing professional development training afterwards.

RIBA asks for two hours of CBD on inclusive design, but of course it is up to the individual as to what that is. That could be doing stuff with the inclusive design hub, or it could be doing all sorts of different things. It is such a broad subject. It is about raising awareness and recognising that it is not just about a building regulations issue; it is a much bigger thing about understanding how disabled people really experience, perceive and use buildings, and getting to grips with that understanding.

Q95 **Mrs Drummond:** Stephen, how often do you have to do continued professional development? I think it is two hours of CPD training on inclusive design per year. Is that enough?

Stephen Ware: It is very flexible. It depends. Some people know quite



a lot already, and they are very interested in doing more. Others may not have so much experience. One detailed hour, every so often, will improve their skills. If people do not know anything at all, then you need more. It is about going through regulations, but other things as well.

For them, maybe two or three hours is better, but not doing it all in one day. Maybe do one hour at lunchtime, and then maybe another time have more, but quite linked together. If they want more, maybe it should be more in-depth as well, perhaps linking to the project they are working on, so they think, "Yes, we really need to put that in there." Then they will ask for more information, and actually understand better. It is also about realising when they do not know enough, and when they have to go back and think about it for future projects.

Q96 Mrs Drummond: This is a bit of a cheeky one, really. Should all design awards meet minimum accessibility standards?

Clare Devine: Yes.

Julie Fleck: Yes.

Simon Turton: Yes.

Stephen Ware: Yes. If it is not in there, then I do not think they should have the award.

Q97 Angela Crawley: Are built environment professionals able to access the kind of continuing professional development that they need if they are to play their part in creating a more accessible environment? If not, where are the significant gaps?

Clare Devine: Yes, we recognise there are gaps. As we said, the inclusive environments industry action plan is looking at how we can develop training. Certainly, the institutes are individually looking at that. From Design Council Cabe's point of view, working with the institutes and industry, we are looking at cross-cutting online training. This will be accessible to built environment professionals.

Why are we looking at it in a cross-cutting way? Clearly, it is not about individual disciplines, such as architecture, highway engineering or landscaping, understanding. This is the point RTPI made. It is about place-making, understanding the connections and the cross-cutting nature. Certainly, we recognise there is a gap there.

We would also emphasise that clients need to understand, in commissioning the built environment professionals, how you write inclusivity into briefs and how you ensure that it is delivered; this is a point made strongly to us by the professions. We would also suggest that there is a loss of skills and expertise within local authorities; this was the point made by Trudi at RTPI.

Again, within the private sector there is more support for professional training. CPD training in local authorities is certainly a more challenged picture. We also think elected members sitting on planning committees—because this is about consistency of approach and adopted thinking



throughout the process—should understand it.

Finally, just to add, for those in the private sector, developers should understand the value and importance of inclusivity, when schemes go beyond planning and are actually delivered.

Q98 Angela Crawley: As a former councillor, I agree with your point about elected members and the need for them to be fully apprised of both planning law and the requirements of inclusivity. Will the Design Council CPD training on inclusive environments be sufficient to meet those needs? When do you expect the training to be ready? How often will it be updated when it is produced?

Clare Devine: That is an interesting challenge to give us. We are working on it at the moment. We hope that it will be going live in the next year. The training should be accessible for everyone to use, whether it is a built environment professional or somebody who works within the built environment. Under the NPPF, at paragraph 62, there is design review, which Cabe will use as a tool to review schemes that come to us and to provide, through our reviews, information to planning committees that give consideration to inclusivity as part of an overall design review.

Julie Fleck: We have talked a lot about architects, planners and building control officers today. Actually, we need to start at the very beginning with the client, as Clare has mentioned. There is a gap there, in getting the client to understand and have awareness around the need to embed inclusivity into their projects. At the end, the facilities managers, who take on the building after occupation, are the ones who have to unpick the issues that have not necessarily gone as we might have thought at planning application stage.

When we first started the BEPE project, BIFM—the British Institute for Facilities Management—was very quick off the mark to embed inclusive design into its professional standards. It already had a CPD programme, which had been running for years. It had been reviewing that and embedding it into its levels 3, 4, 5 and 6.

It is really about getting it at the very beginning. One thing that would be really, really helpful is if Government themselves, as one of the major clients in the construction industry, embedded this into their processes, right from the very beginning, with all the procurement, the briefing, the strategic views and getting training.

Q99 Chair: Why does the public sector equality duty not embed that in the client's mind? It is a public body, so it should, shouldn't it? Is there a weakness there?

Julie Fleck: I think it does. I started as an access officer 30 years ago. I could see during the 1990s that there was a gradual increase in the interest in accessibility. There was a lot more guidance. There was a lot more training. There was a lot more awareness around it, leading up to 2005 and the Disability Discrimination Act.



Things have changed since then. The number of planners, the number of access officers and the number of local access groups has reduced. It is harder for people to really home down on the real nitty-gritty. As Simon said, it is really important for people to know what they don't know, and to know when to bring in expertise. That is one of the issues. I am not an expert on equality and the public sector duty. I have always worked in London, where we have really good policies in the London plan.

Q100 Chair: They might be "having regard", but not knowing what they are not having regard to.

Julie Fleck: Exactly: you do not know what you do not know. I love that quote about the enemy of knowledge being not ignorance, but the illusion of knowledge—you think you know, but you do not really know and understand it.

Stephen Ware: You were saying about the client understanding. It is not only the client; it is the developers as well. Often the developers are not so involved with the architect. When they get there, they do not quite understand. They do not fully understand the importance. When architects talk to them, they can have all the experience and be perfect, but then that is ignored to save money. That is a problem. Everybody needs to be aware.

Simon Turton: Most of the CPD aimed at the building professions is more to do with core activities. I am a building surveyor. Most of my CPD is around the RICS requirements, which are related to property and other similar aspects. Inclusive design is not just about built environments and their solutions, built solutions and physical aspects. There is a lot more of a human side to it.

The Equality Act is human rights-based legislation. It is not a building code. It is not telling you how you should build your buildings. It is basically saying, if you boil it down, that people should have equal rights of access to services, goods and facilities. That includes getting in and out of buildings. There is a general lack of understanding about how the Equality Act applies to people, and specifically how there is a crossover between buildings and their interaction with people, and how things like the building regulations sit alongside that.

If you comply with building regulations, people's perception is, "I have done everything I need to do. It should, by default, meet the Equality Act." I get asked, "Does my building comply with the Equality Act?" That is a very common question I get asked. Quite frankly, you cannot comply with the Equality Act, because it is human rights-based legislation, based on people bringing claims. It is not about, "My building is not big or wide enough. It is the wrong colour, or the wrong size." There is an aspect of knowing the rules and the regulations, as well as the built aspects.

Julie Fleck: The other aspect, which has already been raised, is existing buildings. If there is no development, or if there is permitted development, then there is no role there anyway. One of the things the



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Construction Industry Council is starting to look at now is encouraging construction industry employers to become disability-confident. One of the real ways to raise awareness is by working alongside disabled people and participating, understanding and becoming disability-confident. Again, that is a really important aspect, to involve disabled people in the work.

Simon Turton: Can I add something, to put that into perspective? I am not aware of the exact statistic that I am quoting, so take it with a pinch of salt, but approximately 80% of the buildings that you will ever go into already exist. New buildings are a fairly small proportion of what buildings there are out there. A lot of the emphasis on inclusive design and all the interaction is how new buildings are put together. The existing building stock is a big problem. That is where most of the issues lie and most of the significant problems are that people need to address and overcome.

Q101 **Mr Gavin Shuker:** Who is responsible for the construction industry inclusive design action plan? If you do not know, you can say. That is fine.

Julie Fleck: The inclusive design action plan was launched by DCLG. Cabe has helped to work on it, and the Construction Industry Council has been involved with it. It has got sign-up from a large number of different professional institutions. I am not sure whether ownership sits with DCLG and Cabe.

Clare Devine: It sits with DCLG and Cabe. We are co-ordinating it, but it involves the engagement of all the institutes and organisations that have signed up to the plan. We are working collectively.

Q102 **Mr Gavin Shuker:** Your view is that DCLG is responsible.

Clare Devine: DCLG is supporting the initiative, certainly, as we have taken it through, and has provided consistent support throughout. The initiative is for the organisations and the bodies that are engaged to take forward the action plan, because the actions sit with them.

Q103 **Mr Gavin Shuker:** On those actions, there are a number of commitments. There is a clear expectation that inclusive design becomes a normal part of construction industry practice. There is a commitment to challenge the industry to establish an action plan and to engage senior figures. If we wanted to hold people accountable for the commitments they have made, who would we hold accountable?

Clare Devine: First, I should say it is a significant undertaking to bring this forward, because of the numbers of people we are talking about. It is less about a stick and more about a carrot, if I could put it that way. It is about us being able to raise the profile and awareness. To the point that Simon made, it is about raising an awareness and understanding. What we are talking about is effectively a culture change. It is a culture change to understand that we need to think about the needs of people, first and foremost.



It is about user-centred design. While there are initiatives that will support that, this is about what, effectively, we are looking at. It is not about ticking a set of boxes. It is making a culture change across the built environment professions, across clients and across those who are delivering development to really understand why this matters.

When I am speaking about and dealing with these issues, I remind people that by 2033, 23% of the population will be over 65. That is not a matter of opinion; it is a matter of fact. We need to deal with the facts. The demographic changes in the population will mean that we need a different approach.

Q104 Mr Gavin Shuker: On the action plan, what are the measures by which those people who are involved in the action plan are holding themselves to account for the commitments they have made?

Clare Devine: As the co-ordinator, we can keep in touch with all the organisations. They provide us with updates. We meet at least on an annual basis to see where we are with those action plans. We also share information. Like local authorities and many other organisations, the organisations and institutes engaged have limited capacity. We need to be conversant with that. We are trying to come together to share best practice, insight, training and knowledge, to make as significant a change as we possibly can. It is the point of the action plan.

Julie Fleck: Because the construction industry is so broad and fragmented, there is no one organisation that owns the whole process. The initiative from DCLG has been very helpful. The BEPE project has been very helpful, but they are just small steps. One of the suggestions might be a Government-led summit, or a big client-led event with Government and ministerial support, in the same way that we have done with health and safety and sustainability in previous years. Ministerial support is always really, really helpful. We need a big initiative, because there is market failure here.

We are much, much better at doing accessibility than we were 30 years ago, but, as we have heard, we still have not got it right. We need to look, creatively and innovatively, and with really good political leadership, to push the boundaries here. Some sort of big noise about this, from the Government and the construction industry, would be really, really helpful.

Simon Turton: The intention with the action plan was for the principals, or whatever they are called, within those institutions that were involved to make a commitment on an institutional level. They acknowledge that there is an issue here. They know that there are matters to address and things to improve. It is then for them to determine how best to do that within their membership. As Julie said, there will be different approaches depending on what those institutions do.

For me, again, it is about raising the awareness within those institutions, and what influence their members have on inclusive design and disability issues. It is not to make everybody access experts, but for the planners, for example, to understand how their planning policies or the way they



apply them may affect buildings, whether they be residential or commercial, as the first panel were discussing.

Using my own profession, it is for the RICS to ensure that those surveyors who are valuing properties understand that an inaccessible building may be less valuable than a fully inclusive and accessible one might be. It is not about everyone needing to be fully aware of the ins and outs of inclusive design and disability legislation, but trying to embed the thinking, within their professions, that this is an area that they need to consider and that it is their problem as much as everyone else's.

Julie Fleck: It is process, isn't it? It is not just about technical standards or the building regs; it is about the whole construction process, and embedding it in right from the very beginning. More on the process would be really helpful as well.

Q105 **Chair:** Does anybody have anything else they wanted to add?

Clare Devine: This was touched on in the previous session. We talk about the cost of designing in inclusivity, but we do not talk about the cost of the lack of inclusivity. It is worth bearing in mind that for the built environment, generally, at its shortest lifetime, you are looking at 60 years. We are talking about a 60-year impact with badly designed buildings. This is the point that was already made: 80% of those buildings already exist.

We want to create environments and places that really engage with this, because the cost of managing those spaces in the future will only get greater if they do not meet the needs of the population. That includes buildings, but open space and the urban realm are key to this as well. With initiatives such as the Healthy New Towns initiative, it is worth bearing in mind that there were 10 awards to places across England. There were 114 applications. There is a need to understand. Within that, it was looking at such things as an ageing population and how we design housing and places to meet its needs.

Finally, I would say it certainly is about place-making. We know, and the demographics tell us, as I have said, that there will be only an increasing need. Inclusivity should underpin our thinking, absolutely. It is the good foundation for good place-making that meets the needs of people.

Julie Fleck: My last word would be that, as well as the Government leading by example and really showing how the process can be improved, it is also about looking at where there is failure. At the moment, through the Equality Act, it is a disabled person, as an individual, who has to challenge. It is quite hard, on a day-to-day level, to be constantly challenging your local pub or restaurant, because you want just to get on with your life. You want to go to work. You want to go out with friends. You are not going to go back to that restaurant.

There could be another mechanism. Obviously we want the ability, through the Equality Act, for people to challenge discrimination, absolutely. Disability has that extra layer over it with built environment



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issues. I do not think we have quite resolved that yet. I see buildings all the time where I think, "Why have they not done that?" My local swimming pool has just put new doors in, and there is no manifestation on the glazing. Well, I'm just going to go for a swim. I am not going to keep telling them. We have to look for another way to address that.

Simon Turton: That is almost the exact point I was going to make. There generally seems to be a lack of visibility among people who either procure work or assign the briefs—the people procuring building projects, in other words—and those who are operating from buildings as to what their obligations are. They see a lack of complaint or case law coming through as a sign that they are not doing bad or that there is nothing wrong, because nobody is complaining.

The Equality Act is, unfortunately, a complaints-based piece of legislation. There is nothing that can be done to change that. There is a lack of understanding of what the obligations are under the Act, relating to, say, somebody who operates a pub, a shop or a restaurant, or something like that. Some guidance or further training on that side of things would be a good place to put some emphasis onto.

Let's not forget that the Equality Act is predated by the Disability Discrimination Act, which has been around since the late 1990s. This is not new legislation. It has taken a long time for people to appreciate that they should be doing something. Unfortunately, the big stick is not wielding its weight around as much as it perhaps could do. Some additional cases going through the courts would be useful. Unfortunately, that is something that cannot really be pushed, from our side.

Stephen Ware: I want to talk a bit about my experience as a deaf person working in the building. I have a few little points. One of things people are not aware of is about getting into buildings. Everything now is designed a lot with intercom buzzers. If you are deaf and you cannot speak, people do not understand you, sometimes, when you try to speak. How do I know when it is free? I have to press the buzzer, and I am holding on to the door. It is really quite difficult. People come down and they complain about why I have been pressing on the buzzer. They do not realise.

A video camera is better, because I can explain to them through the video camera, and then they understand. If there is a completely solid door, it is very difficult for me to see if I can get in. I cannot speak to knock or anything to go in. I understand that it is about funding; it comes down to funding all the time. I understand that.

Thirdly, there is an issue with toilets in the building, for example in offices. In a big company, somebody might have a pager for when the fire alarm goes off. A deaf person who does not have a vibrating pager will not know. For example, an old person who has lost their hearing will not know that the fire alarm has gone off. We are thinking about how we solve the problem. We need flashing lights above, so people can actually see what is happening.



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We need good lighting design as well. If it is very dark, it is very difficult to watch somebody who is signing, for example, because there is no light on the interpreter. For example, with doors you need something like lights so that people know somebody is knocking. I know that is often a private thing. We need to improve all those things, as accessibility things for deaf people. People need to understand about design.

People often are not quite sure about communicating with deaf people, as well. It is about getting somebody like myself to come in and train and explain to people what the issues are and what is right for deaf people in the built environment, so they understand. I can be a role model and show them what they need. Often, people talk about induction loops. It is a positive for some people, but it is not for everybody. Often, loops in places do not work well. That is the other thing. That can be a big problem as well.

If we have mirrors, and there is somebody behind you, then you can see everybody around. That is very positive, to see everybody in the room. You can see a reflection when someone is coming. When I go to a hotel, I explain I am deaf and that there is a problem. They talk about the fire alarm and everything when I arrive there. Sometimes it is very good. They bring along a vibrating alarm that goes under the pillow, so I know if the fire alarm is going off. That is really good. All hotels should be aware of that. When somebody books and says that they are deaf, they should think, "We need to get this." That is how we can help and be positive. There are many other ideas, but that is just some of them.

Chair: That is wonderful. Thank you very much. It has been incredibly helpful for us to hear from all of your experiences in this session today. It will help to inform our report and really bring it to life. Thank you so much for sharing that expertise with us. If there is anything else that you would like to add after this session, please drop us an email with any additional thoughts. Thank you very much.