

Women and Equalities Committee

Oral evidence: [Disability and the built environment: follow-up](#), HC 1471

Wednesday 10 October 2018

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Members present: Mrs Maria Miller (Chair); Tonia Antoniazzi; Vicky Ford; Eddie Hughes; Tulip Siddiq.

Questions 1–72

Witnesses

Nusrat Ghani MP, Parliamentary Under Secretary of State, Department for Transport, and Kit Malthouse MP, Minister of State for Housing, Ministry of Housing, Communities and Local Government

Examination of witnesses

Nusrat Ghani MP and Kit Malthouse MP.

Q1 Chair: I would like to take this opportunity to welcome our witnesses here and everybody who is watching in the Gallery and online. This morning's evidence session is to allow us to follow up on a report that we published in April 2017 on the subject of disability and the built environment. We are very grateful to the Ministers coming along today.

I have to say, the Ministers in front of us are not the Ministers who were in place at that time. That was Gavin Barwell and the hon. Member for Harrogate and Knaresborough, Andrew Jones. We thank you for coming along, Ministers, and we know that you will be very well briefed.

We received the Government's response to that report in March 2018. We were disappointed that some of the key recommendations were not accepted by the Government. Today's session is an opportunity for us to discuss further, on the basis of the evidence we took in that inquiry, what the Government's plans are to ensure housing, transport, street design and other elements of the built environment are inclusive for everyone. Before we start, Ministers, could you introduce yourselves?

Ms Nusrat Ghani: I am Nusrat Ghani. I am the Parliamentary Under-Secretary of State at the Department for Transport. I am also responsible for accessibility across all modes of transport and most recently published the Inclusive Transport Strategy.

Kit Malthouse: I am Kit Malthouse, the Minister for Housing and Planning.

Chair: Wonderful. Eddie is going to kick us off with our questions; you know the usual form. We have a number of people coming and going today, so I apologise for that in advance.

Q2 Eddie Hughes: With regard to your Inclusive Transport Strategy, the Committee is delighted that you agreed to the recommendations it made to tackle dangers posed by shared spaces. What exactly do you want to see happen as a result of the commitment you made, and by when?

Ms Nusrat Ghani: The Inclusive Transport Strategy was published in July. It is quite a bold strategy to help us ensure that accessibility is understood across all modes of transport, whether it is rail or road, and shared spaces was an element of that. We had a number of representations. The recommendation made by this Committee was to look at shared spaces and the impact that they have on people with a number of disabilities, which are not necessarily always at the forefront of everyone's mind. They can be hidden disabilities or disabilities that involve sight loss or visual health.



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For transparency, I should put on the record that I have spoken about shared spaces previously because I chaired two cross-party groups, one for ageing and older people, which was administered by Age UK, and one for sight loss and visual health, which was administered by RNIB, so I have some understanding of shared spaces and the impact on the people within those groups.

We have issued a pause on shared space schemes in the development stage. We have also temporarily withdrawn our guidance on Local Transport Note 1/11 on shared space while we undertake a piece of research to enable us to update our guidance, which will hopefully be in place by the end of next year.

Q3 Eddie Hughes: With regard to the pause, how are you ensuring that councils are complying?

Ms Nusrat Ghani: We have had a huge amount of correspondence with a number of councils. I do not have the list in front of me, but I was trying to check how many members of this Committee's councils had been in touch, and the only one would be Birmingham, but I see that Member is not here today. We have a huge amount of dialogue and communication taking place with local authorities. They are either asking us for further clarification or opening up the conversation about shared spaces and how the lack of kerbs or kerb height or the lack of infrastructure, the lack of texture, impacts different people with different types of disabilities, in particular those with visual health needs or sight loss and those with guide dogs, so there is a huge amount of communication taking place.

The Inclusive Transport Strategy will be reviewed annually. We also have a six-month review, which will be by the end of this year or early next year. One objective that we wanted to achieve was to have a pause, and from the evidence that we are getting in, we believe that is occurring. The second was to increase an understanding of shared spaces and the impact that it has on people with pan-disabilities, which is also taking place.

Q4 Eddie Hughes: You referred to the two elements that you had been involved with before then. Do you think it would be appropriate for all those shared space schemes to have raised kerbs and be suitably designed for controlled crossings?

Ms Nusrat Ghani: All spaces that we want people with different abilities and disabilities to access should be equal. We need to understand how everyone is to access these spaces, but there is a difference in what people would consider a raised kerb, in millimetre space, for example, which is why we are working with Transport Scotland to undertake a piece of research, which will take around seven months. We will get updated research based on data, based on evidence, which will be published next summer. Then we will be able to update our guidance. I think it is appropriate that we undertake solid research and evaluation so



that our guidance can stand up when we are asking local authorities to understand how to put shared spaces together.

Q5 Eddie Hughes: Do you think this pause is slightly confusing for authorities? They will be carrying on with schemes at the moment on what basis?

Ms Nusrat Ghani: They will be carrying on with schemes, but they have to undertake issues around equalities when they are taking those schemes forward. They need to have solid consultation with people with different disabilities when they take those schemes forward, but a scheme at the design stage should be paused.

There will be a huge amount of investment already in place when some of these schemes have gone further down the line, but if you apply common sense you will hopefully have to just take a breath, take a pause and try to understand what exactly you are trying to achieve. The pause is a good step in us trying to understand further, working with Transport Scotland, what research we can do to ensure that our guidance can be updated.

Q6 Eddie Hughes: For existing schemes, how will you ensure that they are retrofitted to comply?

Ms Nusrat Ghani: We will have to see what the research brings out because, as I mentioned, even issues on kerbs are not as straightforward as we think. It was not until I was in this role that I realised there was a huge disagreement on what a kerb height should be, between 125 mm or 60 mm or 25 mm. It is not as straightforward as we think, even though we can have an understanding that kerbs in some places will be absolutely necessary.

There is also a huge differentiation on what is a shared space, because some shared spaces can have absolutely zero infrastructure, texture and tone, and some shared spaces may have some kerbs or may have some infrastructure that enables people to access those spaces far more easily if they have a sight or visual health problem. There is huge variety in shared spaces. We are particularly looking at kerbs to try to understand what works best and also looking at what other street furniture is required to enable people not to feel insecure or feel that they are at risk in using those spaces.

Q7 Chair: Can I drill down on that a tiny bit? If I am a local authority lead on roads and I am considering a shared spaces scheme in my community and it is at a design stage, it does not matter what sort of scheme it is—I press pause?

Ms Nusrat Ghani: If it is at a design stage. If it is in a highly densely populated area that has a high amount of traffic—high streets and town centres—our recommendation is that you pause.

Q8 Chair: It is not all schemes?



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Ms Nusrat Ghani: Not all schemes, because shared spaces cover a lot of elements, but we are looking at shared spaces in areas where there is a high footfall of people and high levels of traffic.

Q9 **Chair:** Who defines what is high? I was slightly confused when I found a second letter that you had written to local authorities, after the first letter that said that shared spaces were being paused. There then seemed to be a second letter that you had written to local authorities that said not all shared spaces were to be paused, only those in certain circumstances—as you said, like high streets and town centres. Who defines that, and are you worried that this might mean that more shared spaces schemes are going forward that could put people in danger?

Ms Nusrat Ghani: I have the letter in front of me, so I will try to explain that in a moment. It is important to note that the number of local authorities that have been in touch with us does not indicate to us at the moment that they are doubling down on putting together shared spaces. They are trying to have a conversation and have a better understanding of who they should be consulting with and what does and does not mean a shared space.

The second note that I did with Minister Malthouse was to clarify that, when we are particularly looking at level-surface schemes, and also trying to get local authorities to understand their obligations on equalities legislation, they have to ensure that these spaces are accessible by all people within the community. We are also looking at areas that have a higher footfall and higher levels of traffic. That tends to be high streets and town centres, which are generally outside pedestrian zones.

Q10 **Chair:** Do you think you should publish that letter in the same way as you published your first letter? Because at the moment that letter is not on your website.

Ms Nusrat Ghani: We wrote out to all the local authorities, but that is an interesting point. Yes, we will take that away.

Q11 **Tonia Antoniazzi:** These are questions for you, Nusrat. Your Department is making a substantial investment in installing new Changing Places toilets on motorways. How do you plan to increase the provision of Changing Places toilets in other traffic infrastructure such as bus and train stations?

Ms Nusrat Ghani: Yes, Changing Places was something else that we wanted to address in the Inclusive Transport Strategy. I know many people have campaigned on it, no doubt within the Committee, but I believe colleagues in the Department as well. Rishi Sunak is one, for example. It is something that we want to get absolutely right by using the right amount of funding allocated to the right set of Changing Places going forward. Evidence suggests that even though people who require Changing Places obviously use all modes of transport, it tends to be higher on roads, so you have buses and you have motorways.



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The Department consults with people with a number of disabilities. In particular, we are working with the Changing Places Consortium. The evidence suggests that the best place for our funding to be spent is on motorway service stations. What we are hoping to do with a new £2 million fund—and what my objective would be—is to ensure that all motorway service stations will have Changing Places, so we are working towards that.

The £2 million will cover a substantial amount. We are hoping that, depending on how the Changing Places are configured and tendered, it could be close to maybe 80 to 100, depending on how that is delivered. We are not delivering that ourselves, we are working with a charitable organisation, Muscular Dystrophy UK. That will be the charitable organisation that will enable the fund to be distributed and allocated, and it is best placed to make those decisions. Motorway service stations will definitely be covered.

We also have Access for All funds, which are £300 million. That is to make railway stations more accessible. Even though that is primarily focused on step-free access, if required it can be used for this, too, if people put in for the funding. You are right, we want people with disabilities and carer responsibilities to take all different kinds of journeys, but we want to make sure that the funding is put in places where they are most likely to be for longer periods of time.

Q12 Tonia Antoniazzi: If you are not going to put your focus and your money into the train stations, do you think that the problem with the train stations is very much that the trains do not have those facilities either? Is that a focus the Government could put pressure on?

Ms Nusrat Ghani: I could understand how it might come across that way, because it says, “£2 million for Changing Places at service stations”, but there is £300 million for Access for All, which can be used for this, too. Train operators also have their obligations to ensure that services on their trains are accessible and fit for purpose and working.

The evidence suggested that if you require a Changing Places facility you are more than likely to be travelling on the road. Bus journeys tend to be shorter, car journeys tend to be longer, and I want to ensure that far more service stations have Changing Places facilities. As I said, we are not doing this by ourselves, it is a decision that we are making with the Department. We are working with a number of charitable organisations and, in particular, Muscular Dystrophy UK.

Chair: Another part of our report was recommendations around housing. Obviously disabled people need good-quality housing to live in. Tulip is going to cover a few questions on that area.

Q13 Tulip Siddiq: Thank you for coming in, Minister Malthouse. I do apologise that these questions are very technical. I have no doubt you have all the knowledge to answer them, but they are quite technical.



The current version of Part M of the building regulations is based on the 2001 version of BS 8300, which at the time represented industry consensus on best practice. Will you now commit to accepting the 2018 version of BS 8300 on the basis of a revised Part M?

Kit Malthouse: We are at the start of a review of Part M at the moment. The Building Regulations Advisory Committee has convened to scope some work to review the whole of Part M, volumes 1 and 2, to see what changes might be appropriate. The updated standards will inform that. It is worth saying it will be part of a general project that we have in the Department to look at building regulations across the piece, not least after the Grenfell Tower tragedy, where it became clear that in particular areas the regulatory framework has not functioned as we would have liked. It forms part of a general review project. Yes, we will be looking at it over the next few months.

Q14 **Tulip Siddiq:** I understand that it has just started so you cannot answer this fully but, in principle, are you committed to accepting the 2018 version of it?

Kit Malthouse: Yes. Obviously, if the British Standards are the accepted consensus of the industry, it would be crazy for us not to take them into account, not least because in designing the regulatory framework we want to listen not only to the industry and what is acceptable from their point of view but also the general voice of the people who will be concerned and affected by the regulatory requirements. At the moment I cannot commit to accept all of its requirements, but it is a good starting point.

Q15 **Tulip Siddiq:** How much time and resource—in terms of meetings and research—is the Building Regulations Advisory Committee dedicating to the review of Part M?

Kit Malthouse: As I say, I cannot give you a precise number of meetings because they have just kicked it off. At the moment it has had their first meeting and it is scoping what may need to be done. Out of that scoping will come a project plan, and I can update you once it has reached its conclusions about what that will look like. It forms part of a wider project that is going to be a huge piece of work for the Department around building regulations generally, not least with safety in mind. Of course, that affects people with disabilities and access needs. My guess is that the next year or so will be consumed, much of it, in reviewing the building regulations and bringing forward the amendments that we would like to see in all sorts of aspects, one of which would be this.

Tulip Siddiq: We would like to see that project plan, if that is possible, if you could write to us.

Kit Malthouse: Of course. One thing that has become clear about building regulations generally is a requirement for transparency and communication, on all sides, both from an industry point of view but also



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a governmental point of view. I am more than happy to keep you updated with progress.

- Q16 **Tulip Siddiq:** When do you expect the Building Regulations Advisory Committee to report on changes to Part M? I think you have mentioned a year or so.

Kit Malthouse: A year or so is the whole year because, if there are regulatory changes that will require legislation, obviously we have to get things through, but I would expect them to report initially probably this side of Christmas. I am getting a nod.

Tulip Siddiq: There was some nodding from the back, yes.

Kit Malthouse: I am trying to accelerate everything in the Department at the moment, so this side of Christmas sounds like a good timetable to me.

- Q17 **Chair:** To have the report this side of Christmas? Do you have a legislative—

Kit Malthouse: I guess the committee will reach some conclusions about where it wants to do some work and what work needs to be done. The function of that will then be the time it will take, is my guess.

- Q18 **Chair:** You then have to consult. When is your legislative vehicle going to be—

Kit Malthouse: Who knows? That is a very good question. As you know, at the moment the legislative programme is in flux. There is quite a lot that needs to be addressed. Certainly some of the stuff that we want to look at on building safety will be very urgent, so we will need to go through, whether we can fit it in alongside that as well. We will have to wait and see. It all depends on what the review throws up because there may be things that we can do that are non-legislative, but maybe not. We will see. I am sorry I cannot give you a more definite answer at the moment, but the work has just begun.

- Q19 **Tulip Siddiq:** Even if you cannot give us a definite answer, you must have some idea of when you think the changes will be implemented in law.

Kit Malthouse: I would like to think that we would be in a different place in a year's time.

Chair: Therefore, within the next 12 months.

- Q20 **Tulip Siddiq:** Do you accept that not having access to a toilet is a significant barrier to participating in normal, everyday life for people?

Kit Malthouse: Yes.

- Q21 **Tulip Siddiq:** Will you commit to amending Part M to include a requirement to provide a Changing Places toilet in all large building developments, which is open to the public, so that disabled people can



have more consistent access to toilets in public spaces?

Kit Malthouse: We are certainly working closely with the Changing Places Consortium about what more we can do to expand provision. We are up from about 114-odd to 1,142 Changing Places across the piece, and we would like to see that expand. What the vehicle is to enable that expansion, whether that is funding through DfT or building regulation, we will have to wait and see, but I would be supportive. Rishi Sunak has done a lot of work on this. He is now a Minister in the Department and there is a lot of work going on around what we can do to expand it. If that is a regulatory approach, we will have to consider it.

Tulip Siddiq: Nusrat, do you want to add anything on that?

Ms Nusrat Ghani: No. We are committed to ensuring that more of our toilets are Changing Places so that people with a variety of illnesses and their carers can access them. We are doing what we can to ensure that the transport network has that in place. I must admit that, as Minister Malthouse says, we need to focus on the kinds of places that those people need to access the most to make sure that those are delivered first and foremost before we try to expand it everywhere else.

What is interesting, since the launch of the Inclusive Transport Strategy, is the amount of conversations that we are having around these issues, which would have previously been added on to a discussion but are now the primary focus of discussion, and for both Departments as well.

Q22 **Tulip Siddiq:** To either Minister, how will you ensure that the work to update Part M of the building regulations is not kicked into the long grass if implementation of the Hackitt review on building safety leads to changes to building regulations?

Kit Malthouse: You will have to take it on my word that we are not going to be long-grassing anything on building regulation at the moment. From a safety point of view, there is a pressing need to address the regulatory shortcomings that became apparent post-Grenfell. We want to address them quickly and efficiently and get agreement going forward. That is translating into a wider review of the building regulation programme and I am keen to get it done as fast as possible.

Tulip Siddiq: You cannot ever trust a politician when they say, "Take me on my word".

Kit Malthouse: As long as they keep me in the job, I will be keeping my foot on the accelerator.

Q23 **Tulip Siddiq:** If the Hackitt review results in a simplified building regulations regime, how will you ensure that the necessary details for access and inclusion are not lost?

Kit Malthouse: It is worth bearing in mind that there are two approaches to access and inclusion, particularly in housing. While we can certainly take a regulatory approach, we do believe that a planning



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approach is going to be as—if not more—fruitful. Obviously, the regulations are describing minimum standards that we want to see across the piece. We have a pretty good record over the last few years of improving and spreading the minimum standard.

What we want to try to do is to get ahead of the regulation, so that accessibility and standards get embedded as part of the planning process. Once you get to building regulation, it is almost too late. You are addressing the grit in the oyster, some of the inconveniences, but you are not really looking at some of the major hindrances that might be caused by bigger issues, like disposition of a building, the type of building, where it sits in the site, how you access it from the road. All those things will not ever be covered by regulation, unless we were to standardise the way we build a building in a way that would be inflexible, so what we are trying to do—as well as review the regulation—is to shift the consideration of these issues up front at the design stage.

Presumably you are going to ask me about the NPPF soon, but through the NPPF what we have tried to say to local authorities is that in the provision of their local plans that they should be much more explicit up front about what their design requirements are going to be. That might be look and feel, and we are very keen on that because that raises the acceptability in all our constituencies of large-scale house building.

It also gives local authorities the opportunity to talk about accessibility and design standards, which they want to see, and the consideration that architects and others have to give to accessibility and disabilities in the intrinsic design before the architect even puts pen to paper. As far as I can see, that can make a much greater difference than the regulations around height of plugs and all those things. Those are important but are of little use if you cannot get into the building in the first place because of the way it has been positioned and designed. We have a twin-track approach and it would be a mistake to think we should rely entirely on regulation. We need to look at planning as much if not more.

Q24 Chair: At the risk of slightly treading on the toes of my colleague who is about to ask this, why did you reject our recommendation to put a section in the NPPF dedicated to the issue of disability? It seems to run contrary to what you have just said.

Kit Malthouse: I do not think it is fair to say that we rejected it. In section 9 the NPPF does include an enhanced consideration of these issues, and it makes it very clear to local authorities that in the production of their plan a planning inspector is going to assess the plan partly on their approach to these issues. If they are not satisfying the requirements of the NPPF, or indeed their equalities duties, the plan may well be found unsound and they will have to start again. Therefore, it is not fair to say that we did not accept it. We have embedded it as part of the consideration. Both 8 and 9—

Q25 Chair: You did reject it.



Kit Malthouse: No, we did not reject it, sorry. Chapters 8 and 9 both talk about many of these issues to do with wellbeing, environment, accessibility and disabilities. We would like to see it woven into the plan-making process.

Q26 **Chair:** Sorry to butt in, but were you concerned when the EHRC intervened in the Planning Inspectorate last year because of the approach that it was taking when it came to disability issues? The examination of local plans by the Planning Inspectorate resulted in 6% of local authorities reducing the amount of accessible housing. Is that in line with what you would expect?

Before you respond to that, the Equality and Human Rights Commission intervened in the Planning Inspectorate because it was mistakenly advising people with regards to their public sector equality duty, which could have been the reason why local authorities were reducing their accessible housing. It feels like you are saying all the right things, Minister, but I am not seeing it coming through in what is happening on the ground with the planning framework and the work of your inspectors.

Kit Malthouse: There is obviously a conversation ongoing between the Human Rights Commission and the Planning Inspectorate, and I know that the—

Chair: That sounds like a euphemism.

Kit Malthouse: We should all have constant conversations about these issues, shouldn't we? It is our duty to constantly review how we are responding to an ever changing landscape. I know that the Planning Inspectorate is updating its guidance to inspectors about how they should be treating this issue.

In the NPPF, we have now made it clear that local authorities need to carefully assess the specific housing demand in their area—and that includes for people who are elderly or have disabilities—and make clear what they are expecting to see in terms of the provision for those requirements in the local plan.

I have to say that all of this comes to naught unless I can get local authorities to have local plans. We do have a significant number at the moment that either do not have a plan or do not have an up-to-date plan. We are pushing quite hard to make them bring their plans in place, we hope through the new NPPF. We have clarified the guidance for local authorities about what powers they have to decide what the housing allocation number for particular needs is and what their requirements are on design, and reinforce that the regulatory requirements are a minimum standard and that they can go for more than that if they want, and PINS is now updating its guidance to inspectors about how they should view the guidelines and how they should operate it in plan examination. Hopefully that will all hang together as a cocktail of success.

Q27 **Chair:** Have you retrained your inspectors so that they are not telling



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local authorities to breach the equality duty?

Kit Malthouse: Planning inspectors obviously undergo constant training, so the new NPPF means that PINS will be updating its guidance and training to make sure the planning inspectors are au fait with what is required.

Q28 **Chair:** Your incredibly important local planning inspectors—we share a local authority, we have gone through the planning process—are very, very influential in the way that those plans are formed. Does it worry you that they don't understand the law?

Kit Malthouse: If there were the case, then yes, it would worry me.

Q29 **Chair:** Clearly they don't, because they were acting in a way that could have led local authorities to not understand their duties under the equalities—

Kit Malthouse: I have to look at the evidence of that. Obviously, the Human Rights Commission felt there was a requirement for a discussion to be had, and, as far as I can see, the Planning Inspectorate is updating its guidance in the light of the new NPPF around what the planning inspectors should do.

You need to bear in mind that the Planning Inspectorate is an independent, quasi-judicial body. While we produce the guidelines by which we intend that it should apply its vision to plan making and planning applications, we have to be quite careful about maintaining the independence of what it does, for obvious reasons. I hope and believe that it has a comprehensive professional education programme in the inspectorate that keeps inspectors up to date with current legislation and requirements. The production of a new NPPF requires there to be an updating of the general knowledge of planning inspectors.

Q30 **Chair:** We have seen evidence that those examining the London plan are questioning the GLA's policy of requiring all new housing to meet access requirements above the national minimum. Obviously you have a particular expertise in London matters, given your previous jobs. Are you confident that inspectors are acting in accordance with their duties under equality law, and why can you be so confident in that when we are finding evidence to the contrary?

Kit Malthouse: You will understand that I have to be careful about what I say about the London plan, not least because the Secretary of State has a particular role to play in the production of any local plan, so we have to be careful about that. One of the things that the Department will generally assess, in any plan-making process, is whether there is compliance with the law of guidance.

Q31 **Tulip Siddiq:** I am going to probe a bit more on this. You have mentioned local councils and their visions for planning and you have mentioned the words "independence" and "autonomy". As someone who



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is a former councillor, the reality on the ground is very different. In our local area, without going into too much detail, there was a big campaign to overturn a planning decision. That was how the local councillors voted and how local people wanted us to vote, but the Minister at the time overturned the decision. Do you feel there is enough autonomy for local councils and the voices of local people to be heard? Are they truly independent if the Secretary of State has the right to overturn decisions that are made by local people?

Kit Malthouse: I would very much like to see a position where both the development community and the local community have certainty about what is going to happen in their area. That is what lies behind our heavy emphasis on a plan-led approach to development. The ideal situation is that a local authority produces a plan that is reinforced at a local level by neighbourhood plans or other planning vehicles, design statements or whatever it might be, and that provides predictability for both them and the development community.

Where that situation is produced on a satisfactory basis, then fundamentally the planning inspector or the Secretary of State, who may or may not have sway over particular planning decisions, should not have any room for manoeuvre. The predictability is there, there should not be any dispute.

The problem is that, thus far, that system has been imperfect. As I say, I think we have 53 local authorities that do not have a plan. We have 100-and-something local authorities that have an out-of-date plan. There is an overriding concern generally across the country—shared across the House—that we need to build more houses. In the absence of a plan that is accepting that need, it may be that there is a role for either central Government or the planning inspector to decree or decide whether a planning application should be given or not.

In the situation that you raise, I do not know whether there was a local plan, a neighbourhood plan or whatever it might be, and whether that decision is right—obviously I would say it is the right one because the Secretary of State has taken a decision—but fundamentally we are trying to give the power to local people and local councils to control their own destiny by getting a good plan in place.

For example, one of the things that come through the NPPF, one of the big disputes in the planning system, is around the idea of a five-year land supply: local authorities have to maintain a five-year land supply and that developers come along and challenge whether they have this land supply. In the latest NPPF we have given local authorities the ability to lock their five-year land supply for at least a year, on a rolling basis, so that they are protected from challenges to the land supply, but that all relies on them having a good and ambitious plan in place.

Chair: We will get back to the issues.



- Q32 **Tulip Siddiq:** I am going to go back to your Department's response to our report, which the Chair has already touched on. I will say I do fundamentally disagree with the answer you have given, but maybe that is a debate for another time about the Secretary of State having more of a say than local people.

Your Department's response to our report suggested there may be some scope to improve the current minimum access standards for new housing by reviewing the category 1 requirements. Would it be simpler for everyone if you just raised the minimum to category 2, the equivalent of lifetime homes, as we and others have recommended?

Kit Malthouse: This is going to form the basis of the review. I cannot prejudge what we are going to do on this, but it is in the focus and scope of our work at the moment.

- Q33 **Tulip Siddiq:** Has the Buildings Regulations Advisory Committee begun work to review category 1, specifically?

Kit Malthouse: I am not sure if it has begun that work yet. It has started to scope the work that is required around all the regulations in that particular area, so we will see where we get to, but yes, in theory the work has started.

- Q34 **Chair:** It is difficult, I know, when you are in the middle of things, but could you give us your aspiration? We represent a part of the country that has an ageing population. Do you have an aspiration that we are building homes for people as they get older and probably have more needs?

Kit Malthouse: Yes, I do. It is fair to say that we have a general aspiration to look at the standard of homes in all its various guises. One of the other projects that we have at the moment is a social housing Green Paper. As part of that Green Paper we are asking questions about the decent homes standard. It has not been reviewed for 15 years. Does it need to be updated? If so, what are the changes that are required?

As I tried to indicate in my earlier remarks, all of these issues are in play at the moment. We are having a series of conversations and there are a series of groups doing work to look at building regulations and standards generally to see what needs to change and whether we can improve. It is certainly the case, at a macro level, that I am very keen to see a general raising of the game in terms of quality of housing. I have made a number of public statements about the fact that, if we are going to get to 300,000 new homes a year, quality has to rise significantly. That means quality of occupation, not just quality of build.

The other issue—there is another person doing some work on this as part of the Letwin review—is whether we can do something, particularly on larger projects, to address the notion that there is more than one standard occupation that is being delivered by the market. We can increase absorption: for example, we can get houses built and absorbed



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into the market more quickly by building different kinds of homes that address different kinds of needs. That is what we try to embed in the NPPF.

Q35 **Chair:** Including the needs of people who are disabled?

Kit Malthouse: It may well be; certainly disabled and elderly. I have done three tenant engagement meetings now on the social housing Green Paper across the country. One of the things people constantly ask me is: where have all the bungalows gone? Elderly people want somewhere to move to that is on one level, that is more accessible, that is smaller but with a bit of space so they can have visitors if they want to. Essentially, they want a two-bedroom bungalow, and I am hearing that loud and clear. At the moment, that is not necessarily being systemically addressed in the market. The need for that kind of housing, whether it is a bungalow or flats or whatever, and it can be addressed, will come out of the Letwin review.

Q36 **Chair:** Minister, it sounds like you do want to have houses that fit people's lives, whatever age and whatever ability or disability.

Kit Malthouse: Yes, don't we all?

Q37 **Tulip Siddiq:** Your response to our report expressed concern that making category 2 the default standard would add to the cumulative effect of extra costs on the viability of developments. What extra costs are you referring to when you say that?

Kit Malthouse: Any increase in standards may necessarily increase cost. The question is where that cost falls. One of the things we have tried to do to address some of these issues—if we are pushing for better design standards or greater regulation around some of these issues—is to try to ensure that the cost does not fall in an area where it shouldn't. For example, we would be concerned if that cost were resulting in higher prices. We would also be concerned if that cost were resulting in a lower section 106 contribution to the local area.

There is another moving part in the viability test, which is the land price. What we are trying to do in the general approach on the NPPF and planning is to encourage local authorities, in the production of their plan, to be quite clear up front, much clearer, about what their requirements are generally. Those are the requirements around section 106 contributions, requirements around design standards, and if they want to go beyond the minimum standards set in building regulations they can. What policies are they adopting? The sort of housing that they want to see should be made clear up front so that developers who are coming forward can factor that in to the land price that they then pay.

Under the previous structure, those contributions and those considerations came secondary. As a result, the land price became very rigid in the viability assessment on any development, whereas what you want is for developers to assess the likely cost below the gross



development value that they can achieve—and that includes some of the issues that we are talking about today—and factor that into what they are able or willing to pay for the land. As the NPPF beds in over the next few months and years, we hope that we will see that shift away from section 106 getting squeezed, or regulatory requirements getting squeezed, down to the land price, reflecting the need to provide that value.

Q38 Tulip Siddiq: Although I understand the costs you have outlined, which of these do you consider is of greater importance than the inclusion of disabled people?

Kit Malthouse: Obviously the inclusion of disabled people is one of the primary concerns. The inclusion of all people is of primary concern. In our general target of trying to hit 300,000 homes, we want to ensure that we are adequately addressing everybody in society. We believe everybody deserves to have a decent roof over their head, whatever their wealth, tenure, background, ability or whatever it might be.

The question is whether we can balance that desire against the necessary flexibility we need to have in producing housing. We do not have one uniform housing market across the whole of the country. There are some housing markets where build cost is very close to sale cost, where land prices are much lower than they are elsewhere. There are some areas of the country where you can capture value much more easily in land than you can in other places. Some sites that we are trying to build on require heavy remediation costs that impact on the viability of any building that may be done.

We want to retain an element of flexibility but fundamentally leave it to local authorities to decide, within the flexible model that we have, what fits their local area, so that they are able to say, “We need this kind of housing. These are the standards that we want to put in place. This is the section 106 requirement in social and other affordable housing that we need”. If they do that up front on a plan-led basis, the flexibility is retained in their area to do what they think fit to produce the housing that they think they need.

Q39 Chair: Are you happy that local authorities that want to do the right thing will not simply face a challenge to reduce the amount of housing that might be particularly designed for disabled people, or the requirement to have better, more lifetime home-standard housing, and that there will not be a pressure to get rid of that by developers who want to build cheaper homes?

Kit Malthouse: I cannot predict whether developers will choose to go to court to challenge plans. What I hope is that the—

Q40 Chair: You can try to make sure the law is there to help local authorities that are doing the right thing.

Kit Malthouse: That is what we are attempting to do. We are simplifying the plan-making process. We are encouraging local authorities to get



planning in place. We are even giving them some financial assistance. We have this planning capability fund that is giving them expertise where they might need it. What we hope is that, once they have produced a plan, it goes through a robust examination process that then produces a live plan that has a five-year land supply plus buffer, which they can lock for a year, which reduces the ability of other people to challenge the plan. In theory, if it all works, there should be minimum capacity for challenging a plan, but there is many a slip, and of course this is an ever changing dynamic.

Local authorities will constantly need to update their five-year land supply. They constantly need to think about the requirements in their local area. The point is: the predictability that we are trying to give to the plan, the smoothing of the plan-making process and the locking of the land supply for a year, is designed to give local authorities that protection as long as they are playing by the rules.

- Q41 **Tonia Antoniazzi:** You said, Minister, that you have not rejected our recommendations that the new National Planning Policy Framework should have a dedicated section, but what is in the content is one bullet point and a footnote. Do you think that is good enough?

Kit Malthouse: The NPPF does not stand alone, and there will be guidance provided shortly, in early autumn, around how local authorities should look at discharging this part of the NPPF.

- Q42 **Tonia Antoniazzi:** There is some new wording on access in the NPPF. What do you expect to see change in local plans as a result? More importantly, how will you monitor it?

Kit Malthouse: As I said earlier, what we really want to see is for local authorities to embed the plan making, so that when people make proposals at the design stage they think about these access issues. That is the main thing we want. At the moment it is becoming secondary and people are relying on regulation. People need to know early on that, even before you put pen to paper on a development, you are thinking about access, so shifting it up front is the key thing we are trying to achieve.

- Q43 **Tonia Antoniazzi:** How will you measure whether the NPPF is achieving this more inclusive design at the local level? What is going to be the criteria for you to know?

Kit Malthouse: In the end it will come down to numbers. We have seen numbers increase and we will be monitoring numbers on an ongoing basis.

- Q44 **Tonia Antoniazzi:** Will the planning practice guidance on inclusive design provide more detail than the wording in the framework?

Kit Malthouse: Yes.

Tonia Antoniazzi: Will the new guidance for local planning authorities under the Neighbourhood Planning Act result in more accessible housing



being built?

Kit Malthouse: That depends on the requirements of the local authority. What we are trying to do is to get local authorities to take responsibility for the disposition of the formulation of housing in their area. If they believe that they need more of this, that is for them to decide. You would hope that—particularly given the changing demographics of the UK and the mobility issues that is going to present in years to come—most local authorities would recognise that and reflect it in the housing that they think they need.

Q45 **Chair:** How would you know they had not understood that?

Kit Malthouse: As their plan is produced it becomes examined by the planning inspector and the—

Chair: Those are the people who led to a reduction in the number of accessible houses.

Kit Malthouse: As I say, the planning inspectors are updating their guidance. The point is that local authorities cannot just decide. They have to produce evidence. There has to be proper researched evidence in their area about what they think their local housing need is going to be. The planning inspector looks at that research, the quality of it, whether it is adequate, how far reaching it is and how far in the future it looks. The planning inspector will make an assessment of that as part of the plan-making process and examination.

Q46 **Tulip Siddiq:** You have told us that you have not rejected our recommendation to produce guidance for local authorities on involvement of disabled people, but you have also not committed to implement the recommendation. Will your Department implement our recommendation to produce best practice guidance on involving disabled people in the planning and design of built environments?

Kit Malthouse: I am certainly happy to look at that. One of the critical things that have to be clear in the plan-making process is engagement of the local community in all its various forms. One of the key aspects that will be looked at as part of a plan-making process is: has the local community been engaged?

This is particularly true where we are looking at big strategic plans. In some of the big plans that we have around Oxford, Cambridge, Milton Keynes and some of the garden cities and towns, engagement with the local community will be critical to getting those things right and will be looked at centrally—either by PINS or by the Department—as part of the verification process of the plan, so to a certain extent, yes, but I am happy to look at the best practice guidelines.

It is certainly the case that we see differential performance across the local authority piece, in terms of plan making and engagement and what have you. Frankly, there are different models that people try. From our point of view, as you probably know, the Government are thinking about



what they can do to develop some kind of national network of voices for the disability community to try to inform policy making for the future. I don't think we have quite decided yet on what the model should be, but there is a Government commitment to try to do that. A good and high-performing local authority would naturally want to do that and would do it well. How we spread that good practice, I am open to ideas.

Q47 Tulip Siddiq: I understand there has not been a model decided but, as a Minister, what proactive action are you taking to ensure effective involvement of disabled people in local decisions on the design and planning of changes in the built environment? What are your thoughts on making this happen rather than relying on the model that the Government will come up with over all?

Kit Malthouse: I am not involved personally in the production of local plans. That is for local authorities to undertake and for them to decide at the moment how they engage. I am happy to look at whether we can find some way to spread best practice across that.

I am a great proponent of neighbourhood plans because I think they do engage and excite interest from local communities in a way that I have not seen in my career in local government in the 20-odd years that I have been involved. In my constituency I have seven or eight local plans either made or in the process of being made, and people really do commit to them. The key thing about a neighbourhood plan is it involves everybody, and quite interesting conclusions come out of those neighbourhood plans about what local people think they need in terms of housing. Getting that multiplicity of voices can be achieved when you use the rules and when local communities decide that they want to participate, but I am happy to look at best practice generally.

From my point of view, on the social housing Green Paper I am doing these tenant voice meetings across the country. I have done three and I have three more to do. The biggest one has been a couple of hundred people, the smallest 100 people. Obviously, there are people with disabilities reflected there. They are making their views very clearly known about what they need and require in terms of planning and housing.

It is worth mentioning that the Government have convened an inter-ministerial group to look at disabilities issues across the piece in Government. Sadly I am not the departmental representative on that. Heather Wheeler sits on that group. I think you sit on it, Nusrat.

Ms Nusrat Ghani: Yes, I represent the Department for Transport. It is a very powerful group that looks at accessibility across all Government Departments, across all of our responsibilities. We talk about all aspects of accessibility and disability. We definitely do for Transport.

Q48 Chair: Minister, you say you are open to ideas. You have rejected our idea, which was based on quite a lot of evidence. Who else are you going



to listen to?

Kit Malthouse: I am three months into the job and I have said to numerous audiences that I am open to all sorts of ideas and thinking.

Q49 **Chair:** Can you look at ours again?

Kit Malthouse: On the NPPF and the building regulations, the NPPF has just landed and guidance is being produced. The building regulations review work has just started and BRAC is reviewing and scoping what work will be done. It would be foolish of us not to listen to people's views as we develop both of those policy envelopes over the months to come, so I am certainly open to ideas. Being open to ideas, though, Chair, does not mean necessarily that we are always going to agree.

Q50 **Chair:** No, but your colleague has changed her policy on shared spaces as a result of perhaps being new in post and reading our report. Perhaps we can encourage you to read our report afresh.

Kit Malthouse: I am more than happy to review it. As you will understand, I am ploughing through as much material as I can in my first months and trying to get the job done as well, although I have to confess that Part M, volumes 1 and 2, were in the pile for my holiday reading. I did not get that far down but I am more than happy to have a look at stuff.

We constantly have to refresh what we are doing in the light of what happens out in the real world. There is a law of unintended consequences and all the rest of it. At the moment, I have to confess to you that one of my primary concerns is landing plans across the country.

Q51 **Chair:** Of course, Minister, and we realise you have a real day job, but can we make sure that the issues faced by disabled people and older people are really part of your day job?

Kit Malthouse: Of course they are.

Q52 **Tulip Siddiq:** Minister, do you agree that not knowing if a building has features such as step-free access, lifts, signage or hearing loops can prevent people with disabilities from knowing if they can access a building, let alone the services provided in it? Do you think these are necessary features for a building?

Kit Malthouse: That is a good question. A lack of accessibility information for people who have to make long-term plans about their movements restricts their ability to do that. We see that in all aspects of life, whether it is step-free access on tubes or the ability to access a taxi or whether you are able to access somebody's office because there is not a lift, only stairs. It stands to reason that is a hindrance, yes.

Q53 **Tulip Siddiq:** You do agree that it is a hindrance if a disabled person does not know. Do you think that enough public bodies make the information available about whether a building is accessible or not to disabled people?



Kit Malthouse: Public bodies all have an equalities duty that would require them to provide some of that information. I am not aware of what the percentage is of compliance with that provision of information. If you are going to tell me that it is very low, that would be concerning.

Q54 **Tulip Siddiq:** I am asking, in your day-to-day life, do you think you hear enough about whether a building is suited for a person with disabilities or whether there is access, whether there is a lift, whether there is a hearing loop?

Kit Malthouse: Certainly when I am convening or holding meetings or whatever it might be—either in my constituency or here—it is the case that in my day-to-day life I bear in mind whether there are access issues, yes.

Q55 **Tulip Siddiq:** Do you think it is reasonable to expect an individual to go to court just to get information on whether or not they can enter a certain building?

Kit Malthouse: I would find it surprising that a building owner or operator would resist giving that information, such that they would have to be compelled to do so through the courts.

Q56 **Chair:** Can I gently suggest, Minister, that you might want to look at your predecessor's response to our report? We had a recommendation that there should be a requirement to require the publication of that information. There was some confusion in the response we received; I will put it that way. I know that you have acknowledged that recommendation.

Kit Malthouse: We did acknowledge it but, from memory, I thought we felt that it was covered under their equalities duty and that part of their equalities duty was necessarily the communication of those accessibility issues.

Q57 **Chair:** If they are not communicating them, they are breaching their equalities duties?

Kit Malthouse: Possibly, yes.

Chair: That is one for the Equality Human Rights Commission, I think.

Tulip Siddiq: Absolutely.

I am going to ask an overall question, bringing together what you have said previously. You will be pleased to know this is my last one, maybe. You mentioned neighbourhood plans, which I agree with, and I think they do have a collective voice of people, but I have seen various neighbourhood plans. Some of them include the voices of disabled people, but a lot of the time disabled people are sidelined from these neighbourhood forums and plans, because of the lack of access or their inability to penetrate through the real discussions. In the same way, if disabled people are trying to find out whether a building is accessible or not, public authorities are not explicitly required to publish these details,



so again disabled people can fall through the cracks. Do you think, as lawmakers, we have a duty to make it a requirement—whether it is in neighbourhood plans or through local authorities—to have to include disabled people in these decisions and to have to publish information about buildings? Should it become a requirement in law?

Kit Malthouse: I will have to give some consideration to that and come back to you. Our view is that much of this is covered under the general equalities duty. Whether we need further legislation on top to reinforce that, I would have to think about.

Q58 **Tulip Siddiq:** Even though there is some existing legislation, it is clearly not being carried out, which is why I am uncertain about why you would not want to firmly commit and say that, yes, it should be.

Kit Malthouse: I am happy to look at the evidence, if you have it, of widespread ignorance or non-compliance on this issue. If there is an issue, obviously we will have to address it.

Q59 **Tonia Antoniazzi:** I would like to come in on this point, because one of the things that irritate me, since I have become a Member of Parliament, is the fact that new housing estates are going up, larger housing estates, and the problem with pavement parking is increasing because the capacity is not there. As you said, this should be the touchy-feely part of planning before the architect puts pen to paper.

I know about that, and colleagues and you will know about it, because you will have had the opportunity to go out with the Guide Dogs for the Blind association and do a blindfolded walk—it was the most touching, terrifying and moving experience I have ever had in my life, and I have done a lot of adventurous things, Minister. I do think that we need to be listening to these organisations. Even while I was canvassing to become a Member of Parliament I knocked on doors of people in adapted houses, fabulous houses. They had total accessibility. A young woman who was only 25 with muscular dystrophy could not get on to the road. She could not take her dog for a walk and she could not access her bin. I know it is different in Wales, but I think these issues are widespread, particularly with the issue of pavement parking in new builds, and I would like to see the Government make their voice heard legislatively.

Kit Malthouse: This is why we are quite keen, before you put pen to paper, to shift this emphasis on your development to think about these issues. The NPPF is designed to shift that emphasis so that people do think about it up front, because once you get into the regulatory environment it is almost too late for those reasons. How the home sits, what the distance is between the home and the road, how the parking disposing of itself, where it sits in relation to its neighbours, all those things play into general access. As I said before, there is no point having a plug halfway up the wall if you cannot even get into your house in the first place.

Q60 **Tonia Antoniazzi:** The common-sense approach does not seem to exist.



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The big builders are really not thinking about this.

Kit Malthouse: The NPPF has just come in, so we need to give it time to bed in. There is a general issue around density, viability and parking. One of the issues is: do these developments provide enough parking? We have seen planning guidance in the past, which has said, "We are going to have a car-free society, and therefore we will restrict the amount of parking", and that has proven to be a disaster: narrow roads, cars everywhere, all that kind of stuff. Accessibility and parking needs to be considered upfront before people put pen to paper on a particular scheme, and that is what we are trying to do in the NPPF, but give it time. We only published it in July.

Q61 **Vicky Ford:** Can I come in on the pavement parking issue? Thank you for raising it, because it is not just in new builds, although I agree new builds should be able to deal with it better. It is also an issue in some of our older housing areas, and it is not just for blind people, although it is particularly acute for them, but it is also an issue if you are in a wheelchair or on a scooter and you literally cannot get down the pavement. I absolutely could understand that a one-size-fits-all approach does not necessarily work. There may be some councils where the pavements are wide enough that you can allow some parking sometimes, but it should not be acceptable to have the pavements being blocked for people with disabilities just so that somebody can put their car there. Please can we take that away as an action point from today?

Ms Nusrat Ghani: Definitely. If I could take that forward, Ms Ford, instead of Minister Malthouse, this is something that we are exploring within the Department with one of my colleagues, Jesse Norman. Pavement parking is an issue that comes up. I am not talking about new builds but general pavement parking. Although it is banned in London and local authorities do have some powers, they do not seem to be using them, as local people try to campaign, whether they are mums, people in wheelchairs or even those who have visual impairment. The Department is gathering evidence on pavement parking and its effectiveness or not under the current regulatory frameworks. Jesse Norman will be updating and seeing what that research produces to see what more work we could do to try to look at pavement parking and how it can become a huge problem for people.

Q62 **Vicky Ford:** Soon?

Ms Nusrat Ghani: I hope so.

Q63 **Chair:** Mr Malthouse, you talked earlier about the importance of neighbourhood plans, of local communities, determining the values of the planning process—the important values that are demonstrated through the way we develop our communities—and I suppose Government have an opportunity to show their values as well by public procurement exercises. In the last five years, have you required contractors to go beyond the minimum Part M requirements on building regulations in



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terms of access and inclusion? From what you have said, I would hope that you would want contractors to be doing more than the bare minimum when it came to contracts that were for Government.

Kit Malthouse: As I understand it, we have generally had the position that that is for the public body that is procuring the contract. Obviously, there is variability in any contract procurement—not least price—and our view was that that is for the public body, with their equalities duty in mind, to decide for themselves.

Q64 **Chair:** What about hospitals? Obviously NHS England will determine the investment, but the Department that is responsible for NHS England is the Health Department. Would you not expect it to go above and beyond?

Kit Malthouse: You would have to ask the Department. It decides its own procurement policies. It has an equalities duty. If it wishes to go above and beyond the minimum required, then that is for the Department to decide.

Q65 **Chair:** You would not have a say in that?

Kit Malthouse: I would not have a say, no.

Q66 **Chair:** Our predecessor Committee recommended that the Government should use their commissioning and procurement systems to secure greater inclusion and access to the built environment. Do you think the Government should be leading by example?

Kit Malthouse: Yes, I do. Of course, the Government should be using their procurement ability to achieve lots of things. The Government do already do that, whether that is employment standards or local employment, whatever it might be, so it strikes me that Government procurement should be of a model standard for propelling all of these changes.

Q67 **Chair:** They have in the past in some instances around, say, London 2012—again, something I am sure you are well aware of—but not universally.

Kit Malthouse: That is for the public sector body concerned to decide. Obviously we would hope, given that there is this equalities duty on all public sector bodies, that they would give due consideration to how they factor that into their procurement processes, but you have to remember that we want to retain an element of flexibility, and essentially local control, so that a CCG or a hospital trust can decide for itself whether it is satisfying its public sector duty and, therefore, what it can fit into the equation in terms of whether it is willing to go above and beyond the minimum required. The question is whether the minimum required is satisfactory and the work to review that is ongoing.

Q68 **Chair:** We were delighted when Minister Ghani issued her Inclusive Transport Strategy and we were a bit disappointed that you, Minister Malthouse, rejected our recommendation for a cross-departmental



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strategy in your area. However, you did initially commit to establish and chair a cross-Whitehall group to tackle the barriers disabled people face in the built environment. You now propose to use the inter-ministerial group on disability and society, which is being set up by the Minister for Disabled People for that purpose. Why the change of heart?

Kit Malthouse: I do not think it is necessarily a change of heart. Obviously there was a commitment to co-ordinate across Whitehall in dealing with some of these issues. There is this IMG that was established at the same time, which has the same commitment, to co-ordinate a very wide-range of issues. It is chaired by the Secretary of State from DWP. Obviously we would be working very closely with DfT, DWP and others on these issues anyway. For example, the reason that the departmental representative on the group is Heather Wheeler is that she has responsibility for supported housing.

When I was a DWP Minister I also had responsibility for supported housing, and that is critical to some of these very vulnerable groups including those with disabilities. It seemed to make sense, rather than to have two groups and then need to have a third group co-ordinating between the two groups, that we amalgamate them into one group, and we think, hope and believe that that group will achieve great things.

Q69 **Chair:** I am sure it is wonderful to have Heather Wheeler on that group looking at supported housing, but many disabled people, and indeed older people, do not live in supported housing. Why are you so confident that the broader issue of accessibility in the built environment will remain a priority when you are no longer involved in that group, indeed not chairing it?

Kit Malthouse: I obviously, first, work very closely with Heather. It is now chaired by somebody who is much more senior and powerful than me to enable things to change across Government. It is also worth pointing out that accessibility generally and adaptation for people with disabilities has been a significant priority for the Government and the Department and will continue to be and, to be honest with you, that is reflected in some of the money that is being spent.

The adaptation grant has increased very significantly. I think next year it is going to be over £500 million. We will have spent £2.1 billion or something by 2020 on adaptations and accessibility for people in their own homes, and we will continue to do that. We do think this is a very important issue. You should not regard the fact that there are two Ministers working on this area as an indication that it is not a priority, if anything quite the reverse.

Q70 **Chair:** You have previously committed to convene a panel of built environment experts, access experts and disabled people to support your work on disability in the built environment. Do you still plan to do that?

Kit Malthouse: I have been slightly superseded by this national Government proposal to try to create a network across the country that



can inform policy making generally. Once that model is decided, how I plug into it, how we plug into it as a Department, and how we extract the information and the views we need from the disabilities community, will inform what we do for the future.

As part of the review of the building regulations programme, we have a board of experts, and that includes co-ordination with some charitable representative bodies as well in developing some of our policies. Those groups are already included in the conversation. The question is what it looks like from a national point of view. I have to wait for the Government to decide—again, people more senior to me—how they want that to look before we decide how we plug into it.

Q71 Chair: How do you expect to involve disabled people in the work that you do within the environment rather than what is being done on the ground?

Kit Malthouse: The Department obviously constantly engages with these groups on a regular basis in terms of policy making. In the review of the building regulations and the review of Part M groups will be involved in that conversation. Similarly, in the disposition of the NPPF, groups were consulted as part of the NPPF and in the provision of the guidance. There is a constant conversation going on.

I have to say I have a similar dilemma, I guess, with the social housing tenant group, who are saying that they want some kind of a national voice. There is quite a lot of resistance there to having a national board, because national boards are generally not dynamic and are rather process-driven. They are not real and raw, and what we need to hear is a real-time voice about how some of the policies that are being enacted are affecting people on the front line, and designing that is quite tricky. At the moment, what we can do is have constant conversations with lots of groups, as we develop policy, and then wait for the Government to put their structure in place and decide then what we do.

Q72 Chair: Many of the responses that you have given rely on the work being undertaken by the Building Regulations Advisory Committee, and earlier this year the Hackitt review recommended it was replaced by a new structure of advice and assurance—quite a vague notion. Can you assure us that, if this recommendation is adopted from the Hackitt review, the new system will maintain the focus on inclusion and access for disabled people, and that the actions that you have committed to will still go ahead despite this change?

Kit Malthouse: The actions will still go ahead, yes. Essentially, we are still giving some thought to the proposals from the Hackitt review. I have to confess to you that my primary concern over the last three months or so has been dealing with the ACM cladding issue and remediation and general safety, ensuring that for the moment we have interim measures in place. We will be coming forward with a general response and a work plan, and if that results in governance changes—whether that is changes to the committee or otherwise—obviously there will be a transition period



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that will be critical, which I guess is one of the areas that you will be investigating. It will be critical that the work does not get held up.

As I said to you earlier, I am very keen to accelerate all levels of activity in the Department. This is not stuff that we should hang around with. We need to get it done quickly and particularly in this area, not least because we need the regulations changing quite quickly because, if we are going to accelerate housing quickly, we want to make sure that it is all done to up-to-date regulation and that we do not have a hangover process. So we will be getting to it as soon as we can.

Chair: Ministers, thank you very much for your time today, for being willing to come forward and talk to us about reports that you were not around for when they were originally put together, and for your openness to new ideas. I hope that our reports are on your bedtime reading list, Minister Malthouse. Thank you very much.