

TONBRIDGE & MALLING BOROUGH COUNCIL

LEISURE and ARTS ADVISORY BOARD

13 December 2010

**Report of the Chief Leisure Officer and the
Cabinet Member for Leisure, Youth and Arts**

Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken
by the Cabinet Member)**

1 HAYSDEN COUNTRY PARK – ACCESS AUDIT

Summary

This report brings forward a draft Access Audit for Haysden Country Park for Members' approval, and recommends a similar audit to be undertaken at Leybourne Lakes Country Park in 2011.

1.1 Background

1.1.1 The final stages of the Disability Discrimination Act 1995 came into force in October 2004, and Members will be aware that the Act places a duty on service providers to make 'reasonable adjustments' to overcome physical barriers to access. The Council has responded proactively to this legislation and, with regard to Outdoor Leisure, has completed Access Audits of its five principal public open spaces (listed below), in liaison with the Tonbridge & Malling Access Group.

- Tonbridge Castle Grounds
- Tonbridge Racecourse Sportsground
- Tonbridge Farm Sportsground
- Leybourne Lakes Country Park
- Haysden Country Park

1.1.2 The first Access Audit of Haysden Country Park was undertaken in 2003 and Members will be pleased to note that good progress has been made in addressing the actions identified. This was reflected by the Country Park receiving an 'Access for all Award' in 2009 from the Tonbridge & Malling Access Group. Previous work has included; the provision of designated disabled parking bays in the main car park; improved access through the replacement of kissing gates; additional handrails in the toilets; additional seating and picnic benches; path improvements; and improved information on the Council's website.

- 1.1.3 To ensure that the site continues to meet users' expectations and legal obligations, Members agreed (Decision Notice D100038MEM) that the site be audited in 2010.

1.2 Haysden Country Park Access Audit

- 1.2.1 Following liaison with the Tonbridge & Malling Access Group, a working group was established to assist in the development of the site audit. A site inspection was undertaken during the summer of 2010 and the draft Access Audit has been prepared, incorporating a costed and prioritised Improvement Plan. A copy of the draft Audit and Improvement Plan can be found at **[Annex 1]** for Members' consideration.
- 1.2.2 It is proposed that Priority 1 actions in the Improvement Plan be progressed, subject to available funding, during the 2011/12 financial year. It will then be the intention to progress the remaining priorities in subsequent years and, taking into account the Council's overall financial position, it is recognised that sources of external funding may need to be identified to deliver all proposed actions.

1.3 Leybourne Lakes Country Park

- 1.3.1 The first Access Audit of Leybourne Lakes Country Park was undertaken in 2004 and good progress has been made in the actions identified. Previous work has included updating the main leaflet and website; marking out ramps near the windsurfing cabin; installing more seats; removing kissing gates; new signs; and handrails added inside toilets.
- 1.3.2 It is proposed that a follow-up audit of Leybourne Lakes Country Park be progressed in 2011, in liaison with the Tonbridge & Malling Access Group.

1.4 Legal Implications

- 1.4.1 The Council has a legal duty to make 'reasonable adjustments' to services under the Disability Discrimination Act. If the Council fails to comply with this duty the Equality and Human Rights Commission can serve a Compliance Notice on the Council. Failure to meet the terms of such a Notice can lead to the Commission obtaining an Order from the Courts requiring compliance.

1.5 Financial and Value for Money Considerations

- 1.5.1 Actions will be implemented through existing budgets on a priority basis, although other external funding sources may be required to fully deliver all identified improvements.

1.6 Risk Assessment

- 1.6.1 The Council runs the risk of being challenged under the Disability Discrimination Act if reasonable adjustments to services are not planned/offered to the public.

1.7 Equality Impact Assessment

1.7.1 The purpose of the audit is to identify and address barriers to accessibility at the Council's public open spaces. See 'Screening for equality impacts' table at end of report.

1.8 Policy Considerations

1.8.1 Community, Equalities/Diversity, Asset Management.

1.9 Recommendations

1.9.1 It is **RECOMMENDED TO CABINET** that:

- 1) the draft Access Audit for Haysden Country Park, as shown at **[Annex 1]**, be approved;
- 2) improvement actions within the Access Audit be implemented in accordance with the proposals highlighted at sub-section 1.2.2 of the report; and
- 3) an access audit of Leybourne Lakes Country Park be carried out in summer 2011, in liaison with the Tonbridge & Malling Access Group.

The Chief Leisure Officer confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers: Nil

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Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	The primary purpose of the audit and report is to identify and address barriers to accessibility at the Council's public open spaces.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		Implementation of prioritised improvement actions identified in the Access Audit.

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.