

Training paper for North Yorkshire Local Access Forum: *Improving Disabled Access in the Countryside*



It is impossible to give more than a flavour of the issues here, but I would be delighted to give the LAF members a full or half day training course at a later date.

Disabled people make up 20% of the UK population (ODPM 2003) and yet just a fraction of public rights of way (PROW) could be described as fully accessible. Only 5-10% of disabled people are wheelchair users - the rest can be catered for much more easily.

Disability includes:

- Wheelchair users and ambulant disabled people
- People with sensory impairments e.g. hearing, visual
- People with learning disabilities or head injuries
- People with mental health issues
- People with progressive conditions e.g. MS or HIV

There are many benefits to inclusive access e.g.

- Access improvements for people with disabilities will normally benefit all countryside visitors.
- Disabled people spent £80 billion in the UK in 2003 (DWP). This figure does not include the amount spent by friends, families and carers.
- A new or retained audience of rural supporters.

The Legal Framework

Disability Discrimination Act 1995

- Makes it unlawful to discriminate against anyone on the ground of disability in connection with employment, public transport, education and the provision of goods and services. Parts II and III of the DDA 1995 apply to service providers' premises, a term that includes **land**.
- The Act covers everyone involved in providing a service to the public, including volunteers.

- The DDA 1995 does not outline specific standards but requires that **reasonable** provision should be made. What is meant by reasonable will ultimately rely on the courts, but the Disability Rights Commission's Code of Practice gives helpful guidance (DRC 2002).

Disability Discrimination Act 2005

Bolstered the existing DDA. It covered the functions & duties of public bodies, and therefore included the provision of PROW.

CROW Act 2000. The main points are:

- Access Land – also open to wheelchairs & scooters.
- Section 60 – ROWIP to consider disabled people.
- Section 69 – highway authorities must consider the needs of disabled people when authorising erection of stiles and gates or works on footpaths/bridleways. An authority may enter into agreements with owners to improve structures for disabled people.

Least Restrictive Access (LRA)

i.e. achieving the highest possible access standards for any given piece of work. This approach should not be used as a cop-out by countryside managers, but rather seen as a way of raising the overall standard of access over time.

Physical access standards

There are few statutory benchmarks for physical access to the countryside. Where relevant, use the *British Standards 5709*. Also *BT Countryside for All Guidelines*.

Our mantra! Gap – Accessible gate – Kissing gate - Stile
Best Worst

Ideas for a more inclusive PROW approach

Some agencies have set themselves targets...

- The North York Moors National Park Authority has set out to ensure that across the public rights of way network, difficult gates and stiles are removed where possible, with the aim being to open up 25% of all bridleways and 8% of all footpaths for easy access.

- Since 1993 the Pembrokeshire Coast NPA has operated a policy of LRA for the National Trail. During the annual audit, the opportunity is taken to remove unnecessary barriers that might impede access for some people. Whenever a stile or gate is due for replacement a decision is taken as to whether there is still a need for a physical barrier and, if so, what form it should take. The decision is taken in association with the landowner and the local access group. This policy has resulted in a reduction in the number of stiles from c.540 in 1993 to 255 today.

Other agencies are thinking outside the box...

- Lancashire County Council offers off-road scooters for use on Open Access Land.

Ideas for targets for North Yorkshire?

- Where a barrier is really needed, ensure British Standards are applied.
- Within the LAF area, three sections of path to be made fully accessible each year?
- Ladder stiles should never be installed.
- All staff and volunteers receive countryside accessibility training every three years.

Other barriers to inclusive access

Physical access, (or the dearth of it), is but one of the reasons for disabled people not accessing the countryside in greater numbers. Other factors include lack of transport, information, money, companions, motivation...

Further information:

By All Reasonable Means – Natural England – *I will bring copies to the LAF training day.*

BT Countryside for All Good Practice Guide – Fieldfare Trust – www.fieldfare.org.uk

DDA – Disability Rights Commission – www.drc.org.uk/the law/

Open Access - Natural England – www.openaccess.gov.uk

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