

**Regulatory Impact Assessment: Signed 17
October 2003**

On 5th May 2006 the responsibilities of the Office of the Deputy Prime Minister (ODPM) transferred to the Department for Communities and Local Government.

Department for Communities and Local Government
Eland House
Bressenden Place
London SW1E 5DU
Telephone: 020 7944 4400
Website: www.communities.gov.uk

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Benefits and costs

Impacts

1. Option (a) (do nothing) will clearly have no positive impact. The Part M regulations will not reflect the new standards and business, particularly small businesses, will remain uncertain about the implications of their obligations under Part III of the Disability Discrimination Act, and lack clear guidance on specific measures they can take when carrying out alterations and refurbishment of their properties. The DDA imposes a duty on service providers to make their services accessible, but many small businesses would prefer to make cost-effective access improvements during the course of other works aimed at improving their business profile, such as the installation of new shop-fronts, rather than face the uncertainty of waiting for legal precedents to be set and the risk of having to make later, and more costly and disruptive, access improvements. Without adequate guidance the risks of doing so may outweigh the benefits to businesses and thus deter them from doing so.
2. Option (b) Introduce amendments as proposed in the attached draft Approved Document M. The main benefit of the proposed amendments to Part M is that it will ensure that new buildings and existing buildings when altered meet reasonable standards of accessibility for disabled people. It generally supports and complements the aims of the Disability Discrimination Act. It will also result in time in a wider range of premises becoming accessible to people with disabilities.
3. The effect of the Part M amendments will be to extend the benefits from the DDA Part III and the existing Part M by updating the Part M requirements in accordance with the major changes in the new British Standard.
4. Extending the scope of Part M will facilitate compliance with the DDA Part III by mitigating some of the uncertainty surrounding the structural requirements of the DDA Part III, and extending the coverage of Part M will make a wider range of premises accessible to people with disabilities.
5. Early indications of the impact of the DDA show that among the factors that facilitate or hinder compliance are the availability and relevance of information, advice and guidance, and in some cases the availability of specialist support services. A common reason given by establishments for not making adjustments is their belief that no special arrangements or adjustments are required, or that there is no demand or pressure on the establishment to make such adjustments. By extending the Part M requirements to cover material alterations in existing buildings, these adjustments will act as a spur to access improvement where none was otherwise intended.
6. The benefits will therefore be an extension of the benefits as described in the DDA Part III RIA. These include:-

Benefits to disabled people

- Improved legal rights of access to goods, facilities and services in both the public and private sectors. More services will be accessible, and services that are already doing much to help disabled customers will be encouraged to do more;

- better opportunity to play as full a role as possible in the economy and in society;
- reduced social and financial cost of injuries resulting from negotiating inadequately accessible premises;
- reduced travelling costs as more services closer to home/work become more accessible;
- wider range of facilities disabled people can enjoy with carers and with friends and families.

Benefits to Other People with Difficulties

- Other groups also stand to benefit from the proposals. These include people with young children in prams or buggies; elderly people; people encumbered with luggage, shopping bags, etc and people with temporary impairments (for example, people with broken limbs). Premises made more accessible to disabled people will be more convenient for this group to use, giving them a wider range of facilities, including shopping and leisure.

Benefits to Business/service providers

- Many respondents to the 2000 Part M Consultation pointed out that the benefits of the Part M provisions would be shared by other building users - in some cases (e.g. passenger lifts) by virtually all users of upper and basement floors and in others by a particular categories of user (e.g. mothers with small children). The benefits should increase the efficiency and postpone the obsolescence of the building stock with an added value being reflected in sustained levels of rents;
- A greater degree of certainty about what may be considered reasonable provision for accessibility, and a degree of protection from the double jeopardy of overlapping sets of regulations;
- a better public image which could lead to better business opportunities;
- easier movement of goods and trolley delivery of larger items where there is level access and a passenger lift;
- reduced need for individual home support services where easier access to buildings allows mothers with children, the elderly and disabled people to get out and about;
- reduction in accidents where there are lifts, safer stairs, handrails, better lighting, fewer obstructions and more even floor surfaces;
- increased tourism where there is suitable accommodation for wheelchair users (not just for wheelchair users but for all tourists who appreciate more spacious accommodation).

1. Part M is also expected to generate some amount of synergy in the costs anticipated for compliance with the DDA Part III. Requiring owners or occupiers of buildings to carry out such access improvements as can reasonably be made during the course of other works through the application of Part M will reduce the cost of individual improvements compared with the cost of carrying them out in isolation. Some of these adjustments would, of course, be made in the course of carrying out other works, but many will not.
2. Option (c) (publicise best practice) will clearly help to reduce some of the uncertainty about what constitutes best practice. It can be expected that that the desire to follow "good practice", and moral, ethical and social reasons will be important drivers for many establishments making adjustments.

3. However, the extent of the benefits will depend on the extent to which best practice will be adopted. Therefore the benefits under this option are expected to be on a significantly smaller scale.
4. Option (d) (make satisfaction of the Requirements of Part M conditional on compliance with the recommendations of BS 8300) would remove all uncertainty about what was required to be achieved. This would also be mandatory and could be expected to secure the maximum benefits.
5. It should be noted however, that many of the recommendations in BS 8300 are not apt for regulation, being concerned with surface finishes or furnishings, or management issues that would lie outside the scope of regulations concerned with the suitability of a building at its first point of use. This option would therefore be exceedingly burdensome to business. The difficulty of and resistance to implementation would restrict compliance and the benefits to be achieved.

The value of the benefits

Option (a)

1. No benefits are expected

Option (b)

1. Statistics (see [Appendix 1](#)) show that the interests of around 11.7 million disabled people are covered by the provisions of the Act. It is difficult to quantify the additional social, commercial and personal value that will be derived by those who stand to benefit from these changes. However, the following examples should illustrate the magnitude of the benefits that could be expected:
 - At the National Portrait Gallery, it has been reported ¹ that visitor numbers have increased by 20 per cent since the addition of the Ondaatje Wing which has improved accessibility, circulation and other facilities;
 - The New Millennium Experience Company set up an Advisory Group on Accessibility drawn from experts in the voluntary and consultancy sectors to ensure that the Millennium Dome was an accessible environment for all visitors. The project also included disability equality training for staff, information in alternative formats and the employment of disabled people. Unverified estimates suggest that as many as 25 per cent of visitors to the Millennium Dome were people with disabilities, once it became known that accessibility was good;
 - Works costing £0.5m to make the Grosvenor Museum in Chester independently accessible and improve the visitor experience generally were completed in September 2000. Since then, general public visitors have increased by 15.7% and all visitors, including schools and education services, by 10.1%. Income from the shop, which has been relocated to a better space, is up by 43.4%²;
 - The Richard Attenborough Centre for Disability and the Arts in Leicester, which had its

roots in the University's extra-mural and community outreach programmes, deliberately set out to keep the focus on art rather than disability. At present about 30% of the centre's students register themselves as having a disability, many courses have waiting lists and others fill up as soon as they are announced³;

- The Royal Court Theatre in London's Sloane Square benefited from lottery funding to retain and enhance the auditorium and modernise the backstage facilities, and to create additional space for the public under Sloane Square. The Director, Ian Rickson, believes "If one of the things that the lottery was meant to do was make places more accessible and less ivory tower-ish, then the colonisation of the space under the square worked. The restaurant has become a distinctive rendezvous in its own right. People want to be there."⁴
1. To put into perspective the expected annual policy cost of £120m (see para. 37), this equates to additional benefits from the proposal to the value of approximately £10 per annum for each of the estimated 11.7 million people with disabilities. In view of the wide range of personal and social benefits that would result from improved access to disabled people and taking account of additional accessibility benefits for other groups and businesses, the actual benefits of these proposals are expected to exceed this threshold by a considerable margin.

Option (c)

1. It can be expected that the pressure to make adjustments will be highest in larger establishments and among establishments which are part of larger organisations. Given that 85% of the establishments in the scope of DDA Part III are small and perhaps less likely to want to undertake best practice commitments unless it is absolutely necessary, it is expected that compliance with the improved standards will be significantly low under this option. The ability to facilitate compliance with the DDA Part III as described under paragraph 39 will also be lost. Hence, the benefits secured under this option are expected to be significantly smaller compared with option (b).

Option (d)

1. Benefits under this option could be of the same order of magnitude as those of option (b). However, in view of the disproportionately large burden it is likely to place on business, the sustainability of this option could be questioned.

Policy costs

1. The following costs are for Option (b). Option (a) imposes no costs. Option (c) might cost Government some hundreds of thousands of pounds per year in advertising projects. The

costs that would accrue from Option (d) would be, given the range of recommendations in BS 8300, the range of building situations to which they would apply and the fact that many of the recommendations relate to management issues and are thus not directly controllable through the building regulation process, substantial and very difficult to estimate, but certainly in excess of Option (b).

There is estimated to be an annual cost to owners and occupiers of new buildings and extensions of **£120M** at 2000 prices.

2. There would be an annual cost to owners and occupiers of existing buildings of **£69.33M** at 2000 prices. However, this cost has been anticipated by the DDAlIRIA which says (paragraph 32) "The [range of costs from **£606M to £1.2Bn**] is the total policy cost of complying with the 2004 duties and is drawn up as if all adjustments will take place in 2004. Assuming that adjustments (doors, lights, ramps, rails etc) last about five years, it can be estimated that... the private sector will incur annual policy costs in the range of **£112M-£229M pa.**"
3. If these amendments to Part M proceed much of the work that was forecast to meet DDA obligations will be carried out under building control. It is known that many large corporations are already undertaking work in anticipation of the 2004 duties, and this volume of work can be expected to increase in 2003 as the implementation date of the Part III Regulations approaches. There will thus be little or no additional financial burden imposed as a result of the extension of Part M to existing buildings, and there may indeed be savings arising from economies of scale: access improvement work carried out as part of wider refurbishment activity will be cheaper, item for item, than the same work carried out in isolation.
4. There may be some marginal cases where the additional cost of compliance with the amended recommendations may make the difference between deciding to proceed with a project or not, or more probably tip the balance of costs in favour of new-build rather than refurbishment, but these are expected to be relatively insignificant.
5. The new building costs attributable to the public and private sectors are estimated to be as shown in Table 2

Table 2: Annual costs for new buildings of changes to part M (£M y2000)				
	New-build	Horizontal extensions	Vertical extensions	Total
Public Sector	14.748	8.009	0.06	22.817
Private Sector	81.121	16.485	0	97.606
Total	95.869	24.494	0.06	120.423

Overall cost

1. The costs are shown in detail in Appendix B.

Regulatory burden

1. There will be additional work for building control, particularly if more consultation with access groups etc is involved (although consultation on significant developments is already routine in many areas). The cost of training staff, checking plans and extending inspections will need to be covered by building control charges.
2. Many local authorities currently designate a member of their technical staff as their Access Officer, usually from the building control team, but occasionally from other areas such as planning or architectural services. Time spent on access functions varies from as little as a day a week, to full time, and will often extend to areas other than building control. Authorities with major development activity may have more than one full time equivalent member of staff engaged in such work.
3. It is estimated that, on average, an additional quarter to half full time equivalent member of staff may be required to carry out the additional functions, the cost of which will be reflected in building control charges. This may in practice mean additional costs for the majority of commercial projects of some tens of pounds, while major town-centre redevelopments may attract additional charges of several hundreds of pounds. Private sector building control 'approved inspectors' negotiate a fee based on the requirements of the particular job; their fees will also reflect any additional work necessitated by changes to Part M.
4. Some respondents to the initial survey suggested that there should be independent auditing of buildings on completion to ensure that minimum standards (and possibly higher standards) had been met. Auditing of plans and auditing of completed building work should be encouraged but it is considered that a separate audit of access and facilities for disabled people (in addition to plans and site inspections) would be too great a regulatory burden. There is now, in any case, the option for a disabled person to seek redress via the DDA if features of an employer's premises put them at a substantial disadvantage or, in the case of a service provider, make access to the service impossible or unreasonably difficult.

¹ Heritage Lottery Fund Annual Report 2000/2001, p22

² Information provided by Chester City Council, February 2002

³ "Pride of Place", the Arts Council of England, March 2002; pp18-19

⁴ Ibid. pp24-25

Competition assessment

1. The proposed revisions to Part M are not expected to have a significant effect on competition. The two most significant sectors of building product manufacturers providing products specialised to meet the provisions of Part M - sanitary ware and vertical and inclined lifting platforms - comprise a relatively small number of manufacturers. For the sanitary ware manufacturers, the specialist product line (often referred to in trade literature as the 'Doc M pack') is only a small part of their product range. For the lifting platform manufacturers, some are independent but some are subsidiaries of conventional passenger and goods lift manufacturers. For both sectors, the revised Part M will continue to rely where appropriate on established British and European Standards, the recommendations having more to do with where the products should be used and the dimensional ranges within which they should be fixed or applied, than to the specifications of the products themselves. It is not expected that the costs of the regulation will affect some manufacturers substantially more than others, nor to affect the market structure.
2. All service providers in any sector of the economy who will be affected by the revisions to Part M, whether established businesses or new start-ups, are equally affected now by the DDA. The proposed revisions to Part M are expected to provide clarity about the standards required to achieve physical access, but in a way that will be sufficiently flexible to respond to individual circumstances. It is not expected, therefore, that new or potential businesses will be subjected to higher set-up or ongoing costs than will have to be met by existing businesses, or that the costs in any sector would be sufficient to be likely to have implications for competition.
3. Some parts of the sector are subject to rapid technological change, particularly assistive technologies (remote infra-red switches and controls, door and window openers etc.), and vertical lifting platforms. Building Regulations are designed to encourage and stimulate innovation and it is not expected that the proposed revisions to Part M will hinder the adoption of such technologies. Rather, the adoption of the Access Statement will allow applicants to demonstrate how the new technology will satisfy the Requirements of the Regulations and thus be an acceptable solution.
4. As previously stated (paragraph 46), there may be some cases where the additional cost of compliance might deter some businesses from proceeding with a project, however these are expected to be relatively insignificant and would not be expected to have implications for competition.

Small firms impact test

1. Service providers of all sizes have obligations under the DDA to make their services accessible to disabled people without unjustifiable discrimination. But the DDA requires only that to be done which is reasonable in all the circumstances. Many small businesses carry out improvements to their premises, either when they fit out, or at periodic intervals. Most would prefer on economic grounds to make improvements to access during the course of carrying out other work, rather than separately as a one-off exercise. The Chairman of the Independent Retailers Confederation confirmed in discussions that though many of his members would be likely at first to perceive the amended regulation as an additional burden (and would therefore need to have the changes presented

carefully and sensitively), ultimately it would be beneficial for them in providing a secure basis for responding to their obligations under the DDA. He also felt that the process of considering how to adapt the practical guidance in the Approved Document to their own particular circumstances, in essence the completion of the Access Statement, would both enable them better to achieve an accessible service and thus avoid the risk of challenge to the Employment Tribunal, and render them better able to face a challenge should one arise.

2. During the course of public consultation and subsequently, discussions have been held with the Small Business Service of the DTI and a number of SMEs which broadly concur with the conclusions reached in paragraph 57 above.

Enforcement, compliance and guidance

1. The arrangements for enforcement and compliance will not change from those in force now for the entirety of the Building Regulations.
2. Guidance will be provided in the attached **Approved Document M, 2004 edition**.

Evaluation and review

1. Amendments to Building Regulations are normally reviewed after a period of at least two years has elapsed following implementation, to allow for a sufficient number of building works to have been carried out in accordance with the new recommendations to make evaluation meaningful.

Consultation on the proposals

1. The scope of proposed amendments to the Building Regulations (Option (d)) was subject to initial public consultation (see paragraph 17 above). The detailed proposals have also been subject to consultation with the Building Regulations Advisory Committee (BRAC) appointed by the Secretary of State.
2. A full public consultation on the proposed amendments was carried out between 27 August and 29 November 2002. A report on the responses and recommendations on further progress was approved at the BRAC meeting on 19 February 2003. A summary of the responses to this consultation is attached at **Appendix 4**.
3. The Building Regulations Advisory Committee Part M Working Party has met three times since then to consider the responses in detail and to agree any necessary amendments to the proposals.

Summary and recommendations

1. Option (a) imposes no costs, but provides no benefits. This is not a viable option since it will lead to continuing uncertainty and, in the view of some commentators, potential blight of buildings considered too risky to be worthy of development^{5 6}. AD M would be seen as out-dated and no longer a credible support to the statutory requirements.
2. Option (c) imposes costs on Government and it is anticipated that there would only be marginal benefits compared with Option (a). It would, furthermore, highlight the deficiencies of AD M.
3. Option (d) would impose significant costs, would make many ventures unthinkable, would impose totally unacceptable burdens on many small businesses, and would, if anything, lead to greater blight than Option (a).
4. The recommended course of action is to adopt Option (b). The option is also complementary to other Government policies on access for disabled people.

Collective agreement

1. It is not considered that the changes that have been made to the proposals following consultation are of a nature or scale to warrant seeking further collective Ministerial agreement.

Ministerial declaration

I have read the Regulatory Impact Assessment contained in this document, and I am satisfied that the benefits justify the costs.

Signed by the responsible Minister - **Phil Hope** (Parliamentary Under Secretary of State at the Office of the Deputy Prime Minister).

17 October 2003

Contact point

David Petherick, (Buildings Division, The Office of the Deputy Prime Minister (ODPM)
18/A Portland House, Stag Place, London, SW1E 5LP, Fax: 020 7944 5739, e-mail:
david.petherick@communities.gsi.gov.uk)

⁵ "Buildings put within reach", Estates Gazette, 31 July 1999

⁶ "Reasonable access granted", Estates Gazette, 6 January 2001

Appendix 1 - Benefits

Groups benefiting from improved access

It is estimated⁷ that around 20% of the adult population - around 11.7 million people - are covered by the provisions of the Act. The table below shows the number of those people who experience the functional problems listed in paragraph 4 of Schedule 1 to the Act:

Type of disability	
Lifting and carrying	7m
Mobility	6m
Physical co-ordination	5.6m
Learning and understanding	3.9m
Seeing and hearing	2.5m
Manual dexterity	2.3m
Continence	1.6m
Perceptions of risk	0.7m
<i>*Numbers add to more than 11.7m as people could report more than one condition.</i>	
Others beneficiaries will include⁸:	
People over 64 in the population	9m
Families with children under the age of 5	3.3m
Carers	5.9m ⁹

⁷ Source: The Disability Discrimination Act: Analysis of Data from an Omnibus Survey; In-house report 30, Grahame Whitfield, DSS, 1997.

⁸ Source: Summer 1997 Labour Force Survey, UK.

⁹ Source: Caring about Carers, Department of Health, February 1999.

Appendix 2 - Study for a review of the Building Regulations Part M (T&R): Access and facilities for disabled people

Background to the Executive Summary

In May 2000 the Department invited views on the provisions that Part M of the Building Regulations makes for disabled people in buildings other than dwellings, and how they might be improved. We were interested in feedback particularly from disabled people on the operation of the current Part M. The responses, which are summarised in the attached report, will be used to assist in developing detailed proposals for revising Part M as it applies to buildings other than dwellings. The Department will need to weigh the various views expressed in the report and cannot undertake that particular views or recommendations will be adopted, but there will be a further opportunity to comment, probably towards the end of this or early next year, on any proposed changes before they come into effect.

The Executive Summary

Introduction

Study aims

The study was undertaken for DETR between January 2000 and January 2001 by The Camden Consultancy, a grouping of independent consultants in the construction field.

The overall aim of this study was to gather ideas to form the basis of a revised Part M through an initial consultation which would identify:

- Aspects of the existing guidance that should be clarified;
- Ways in which Part M could be extended to existing buildings;
- Appropriate building features for which guidance should be included;

and, where possible, quantify potential benefits, practical problems or regulatory burdens.

The study was also to consider the provisions of Part T of the Scottish Building Regulations and Part R of the Northern Ireland Building Regulations.

Outline of study method

The study used postal surveys and six seminars to gather ideas from building regulation users and disabled users of buildings (together with their organisations and companions). Two types of postal survey were used: 784 copies of one were sent to organisations and a few individuals known to have an interest in Part M of the regulations. 433 copies of the other was sent in

response to requests, mainly to disabled people and groups representing disabled people. Different versions of the questionnaires were prepared for Scotland and Northern Ireland. A total of 408 responses (33.25 per cent) were received.

The questionnaire responses, and the 6,642 written comments, together with records of issues raised by the 161 people who attended the seminars, provide the data which were analysed to report the study findings. Conclusions were then drawn from these findings.

This summary deals briefly with the issues and findings and gives a short version of the conclusion drawn in italics at the end of each section.

General issues

Regulation of disabled access and facilities: 89 per cent of those who responded to the question thought that Part M (T&R) had been helpful and few thought that it should not continue in some form. Many respondents wanted close co-ordination with the Disability Discrimination Act. Others wanted better co-ordination with guidance on Planning, Fire safety and Staircases.

There were many suggestions for additions and improvements to Part M (T&R) which was often seen as being out of touch with current thinking. Most respondents, particularly disabled people and their representatives, have very high expectations of the revision. Even the organisations that will design or have to pay for additional provisions are prepared for change. It is widely accepted that from 2004 onward the DDA will bring in a new approach to meeting the needs of disabled people in buildings used by the public.

A revision of the Regulations in the next 2 years in parallel with BS 8300 (the revision of BS 5810) and the DDA code for the 2004 provisions will be timely and generally welcomed.

The requirement

Criticism of the requirement focused on two aspects: the word 'reasonable' and the way 'disabled people' is interpreted.

It was felt by many disabled people that requiring only 'reasonable' provision allowed developers and designers to get away with less than a minimum standard of provision. Other words such as 'adequate', 'optimum' or 'best practice' were suggested. In Scotland the word 'adequate' is used rather than reasonable but the same criticism was levelled at 'adequate' by Scottish respondents.

There is a need for flexibility in these requirements, particularly if they are applied to existing buildings. 'Reasonable' has a recognised meaning in terms of building control and allows flexibility. Use of another word would not be a significant improvement.

Interpreting disabled people in terms of specific disabilities was not liked and there were strong objections to a question that suggested extending the requirement to other specified disabilities. It was said that the 'medical' rather than the 'social' model of disability had been

adopted and that in future the Regulations should deal with the social model and concentrate on the barriers that buildings present rather than on the impairments of building users. It was pointed out that the provisions in Part M benefited many able bodied building users as well as disabled people.

The requirement should be revised to deal with standards of access and convenient use. The interpretation of disabled people should be based on the DDA definition.

Existing buildings

Change of use: 82 per cent of respondents wanted Part M (R) applied to changes of use, 15 per cent did not express an opinion and only 3 per cent did not want Part M applied. In Scotland Part T already applied to change of use, so the question was not asked.

The difficulty here is that change of use in Part M is principally related to fire safety and use by the public is only recognised in 'public buildings' whereas the DDA will apply wherever goods and services are offered to the public. Respondents wanted to see a rationalisation of the planning and the building regulation changes of use or at least some redefinition of categories as in Scotland. However any change in categories is a general issue for the Regulations and outside the scope of this study. Applying just Part M to all changes of use where the DDA would apply would considerably increase the load on building control.

Part M should apply to changes of use and its application should be taken into account when any new use categories are considered.

Material alterations: 77 per cent of respondents wanted Part M (R) applied to material alterations, 14 per cent did not express an opinion and 9 per cent did not want Part M applied. In Scotland Part T already applied to alterations, so the question was not asked.

A strict application of all minimum standards for all material changes of use does not make sense. Where floors are never likely to be accessible to wheelchairs there is no need to eliminate steps, widen doorways and provide accessible facilities but in many instances applying minimum standards to material alterations would be sensible and would greatly increase accessibility of the existing building stock. There are also cases where it would be sensible to widen doorways and leave space for facilities where, for instance, a passenger lift might be added later.

Part M should apply to material alteration work but a distinction should be made between floors that are accessible to wheelchairs, floors that could be made accessible and floors that are never likely to be accessible.

Extensions: 64 per cent of respondents wanted Part M (T&R) applied to extensions with no entrance at ground floor level, 23 per cent did not express an opinion and 13 per cent did not want Part M applied. If the suggested application of Part M to material alterations is adopted there is no reason why a distinction should be made between extensions and material alterations.

Part M should apply to all extensions as if they were material alterations.

Reasonable application of minimum standards: From the comments on many questionnaires and from the seminars it is clear that judging what minimum standards it is 'reasonable' to require is a key issue. Some respondents wanted the minimum standards to apply by prescription to all work covered by the Building Regulations many others suggested limiting requirements by building size, by use or by storey etc.

A clearer definition of what is reasonable and the involvement of disabled people themselves in advising on the reasonable application of standards to particular circumstances would be welcomed. Such a definition and consultation could apply to new construction as well as existing buildings. Many local authorities, particularly in Scotland do consult access groups on significant applications.

The meaning of 'reasonable' as applied to Part M should be spelt out either within the guidance or in instructions to local authorities and approved inspectors. Local authorities considering refusal or relaxation should take account of criteria based on:

- *use*
- *consistency*
- *practicality*
- *best practice*
- *proportionality with size and cost*
- *effective reduction of barrier*
- *safety*
- *reversibility in historic buildings*
- *provision for extension of accessibility in the future*
- *value of innovation*

Local authorities and approved inspectors should be urged to consult local or national access organisations on significant applications and could be obliged to consult them in certain circumstances e.g. where no level access, passenger lift or accessible toilet is proposed.

Clarification of existing guidance

Respondents were asked about the relationship of Part M to other documents and about differences of interpretation of the Part M provisions.

- 35 per cent of respondents were aware of problems or confusion between Part M and other legislation (in particular the DDA, Planning legislation and fire safety requirements).
- 31 per cent of differences of interpretation of Part M (in particular ramps).
- 20 per cent found problems with the overlap between the ADs (in particular B and K).
- 20 per cent thought that disabled people's interests could be better served by controls or guidance not related to the Building Regulations (in particular the DDA and the revision of BS 5810).

There is a need to co-ordinate the guidance in DDA codes, A.Ds. B and K and BS 8300. Explanatory cross references in Part M and in the other documents would be helpful.

Issues external to the building

Respondents to the questionnaire for organisations were asked for comments and suggested modifications to the provisions of Section 1 of Part M.

46 per cent wanted to see changes in guidance on principal entrance doors,
40 per cent on approach to the building,
33 per cent on revolving doors,
29 per cent on handrails,
28 per cent on entrance lobbies and
25 per cent on hazards on access routes.

The main issues suggested as requiring improved guidance included:

- Tactile paving (at top and foot of ramps and not to conflict with wheelchair use)
- Ramps (level access preferred, 1 in 12 too steep, passing places on long ramps)
- Handrails (contrasting colour)
- Entrance doors (to be wider and wherever possible to be automatic)
- Revolving doors (to be avoided)
- Lobbies (larger and to have transitional lighting)
- Hazards on access routes (bollards and street furniture to be better positioned).

New guidance was called for on:

- Paved surfaces (not cobbles or gravel)
- Parking and setting down places (level parking and setting down to be provided)
- Signage (to identify the building and its entrance)
- Automatic doors (use when possible better guidance on operation and controls)
- Opening force to operate doors (limit to be stated)
- Ironmongery (guidance needed on easily operated door furniture)
- Reception spaces (guidance needed on layout, lighting and seating).

All the above issues should be considered for inclusion in a revised Part M.

Applicants could be required to state what measures they have taken to meet performance requirements, e.g. for parking and setting down, signage, door operation.

Circulation within the building

Respondents to the questionnaire for organisations were asked for comments and suggested modifications to the provisions of Section 2 of Part M.

46 per cent wanted to see changes in guidance on doors,
39 per cent on passenger lifts,
34 per cent on wheelchair stairlifts,
33 per cent on corridors,
27 per cent on platform lifts,
26 per cent on internal stairs.

The issues suggested as requiring improved guidance included:

- Door widths (including width of double door leaves)
- Glazing in doors (dividing bars, height and width, correlation with standards)
- Corridor widths (including space to pass and manoeuvre)
- Obstructions (in corridors)
- Lobby dimensions (for different configurations)
- Passenger lift dimensions (larger lifts)
- Passenger lift controls (tactile buttons, position of controls, voice announcements)
- Stairlifts (uses, controls, dimensions)
- Platform lifts (uses, controls, dimensions)
- Tactile surfaces (top and bottom of stairs and ramps and in corridors)
- Internal stair dimensions
- Marking of stair nosings
- Stair handrails (tactile indicators).

New guidance was called for on:

- The weight of doors (force required to operate)
- Ironmongery (handles etc)
- Automatic doors (controls, warning of closing, entrapment of visually impaired persons)
- Colour contrast (of handles, of door and surrounding wall and in corridors, lift controls, handrails)
- Lighting (in corridors and on stairs)
- Signage (for accessible exits, facilities, and wayfinding)
- Sliding doors (operation, space requirements)
- Lifts for emergency evacuation (use, suitable phones)
- Floor surfaces (soft carpets, slippery surfaces, ribbed stair treads).

Most the above issues should be considered for inclusion in a revised Part M.

Applicants could be required to state what measures they have taken to meet performance

requirements, e.g. for colour contrast, lighting and signage.

Facilities in buildings

Several questions were asked about issues in Parts 3,4 and 5 of Part M and the equivalents in Scotland and N. Ireland. (The percentages here relate to the questionnaire that went to organisations unless otherwise stated.)

- Wheelchair accessible toilets: 51 per cent wanted changes in guidance.
- Ambulant user's toilets: 30 per cent wanted changes in guidance (47 per cent of respondents to the questionnaire for individuals said Yes when asked whether they would like to see other provisions included for either type of toilet) (e.g. more provision and close conformity with revised standards in BS 8300)
- Changing facilities: 34 per cent wanted changes in guidance (e.g. specific requirement for more building types)
- Aids to communication: 38 per cent wanted changes in guidance (e.g. suiting systems to spaces)
- Spectator seating: 41 per cent wanted changes in guidance (e.g. more choice of seating).

These provisions should be reviewed in the light of comments and the revision of BS 3800.

Performance standards and guidance should be considered for bathrooms, rest areas, seating, switches and controls.

Application to different building types

39 per cent of the respondents to the questionnaire that went to organisations wanted changes in guidance on restaurants and bars (e.g. more floor area accessible). 42 per cent wanted changes in guidance on hotel and motel bedrooms (e.g. more provision and choice of location).

Respondents were asked to suggest other buildings to which the provisions in Part M should apply. Travel interchanges, hospitals, clinics, health centres, churches and crematoria were suggested, and elsewhere schools, open auditoria, small spectator events and visitors centres were mentioned.

The hotel and restaurant provisions should be reviewed in the light of comments and the revision of BS 8300.

Widening the application of the regulation could increase accessibility and the coordination for the DDA and Building regulations but may only be feasible when the application of other Parts of the Regulations is also widened.

Scotland and Northern Ireland

Scotland

Some of the conclusions of this study do not apply to Scotland because the regulations have now been dispersed throughout the Scottish Standards and Deemed to Satisfy (dts) Provisions. This change has been accepted by the majority of Scottish respondents. The regulations already apply to existing buildings in Scotland. However the definition of disability and the dts guidance from Disability Scotland (which is less detailed than Part M) are now seen by some Scottish respondents to be out of date. Additions to the dts references could be considered.

The dispersed regulations should be retained.

The definition of disability should be reconsidered.

The deemed to satisfy document from Disability Scotland needs to be revised and expanded.

Northern Ireland

The Northern Ireland Regulations and the Technical Booklet for Part R are much closer to Part M than the Scottish Regulations. The conclusions of this executive summary could apply equally to part R. However different terminology, the illustrations of application to existing buildings and anti-discrimination legislation will all have to be taken into account.

The conclusions for Part M should be rephrased to suit Northern Ireland and applied to Part R.

Benefits and costs

Many respondents pointed out that the benefits of the Part M provisions would be shared by other building users; in some cases (e.g. passenger lifts) by virtually all users of upper and lower floors and in others by a particular categories of user (e.g. mothers with small children). The benefits should increase the efficiency and postpone the obsolescence of the building stock with an added value being reflected in increased rents.

Some of the measures suggested for inclusion (e.g. colour contrast, floor surfaces) would have virtually no cost implication. However the measures that provide access for wheelchair users to buildings are costly, particularly level parking, level access, passenger lifts and accessible toilets. Lifts and automatic doors have the added penalty of high maintenance costs. Extending these provisions to all non-domestic refurbishment projects will have major cost implications - but also major benefits.

There will be additional work for building control, particularly if more consultation with access groups etc is involved (although consultation on significant developments is already routine in many areas). The cost of training staff, checking plans and extending inspections will need to be covered by building control fees.

The linking of the DDA Codes to the Building Regulations should also be taken into account. Bringing new provisions into Part M (T & R) will mean that they can also be required wherever the DDA applies, whether or not building work is being carried out (e.g. handrails on both sides of existing stairs, wheelchair accessible controls in existing lifts). These items may not come under building control but could apply because they would be a requirement of the regulations if a new stair or lift was being installed. Costs brought in by this route will be hard to estimate.

For a true picture of benefits and costs, the benefits to all building users and the costs of extra work under the DDA should be taken into account.

Form of publication

Form of publication: Respondents were asked whether the guidance in Part M (R) should be dispersed to other related sections as has been done in the fifth amendment to the Scottish Regulations. Opinion was divided but the majority favoured a single booklet and more cross referencing to other sections - some saying that the time was not yet right for dispersal and that it would be easier to promote the necessary awareness of any new provisions with a single booklet. Those in favour of dispersal felt that a single booklet gave the wrong message by treating disabled people as a distinct group. Complete dispersal of Part M provisions would not be easy as there is no natural home in the current Regulations for such issues as hotel bedrooms and spectator seating.

The benefits of a single booklet for the forthcoming revision outweigh those of dispersal but in the longer term dispersal should be foreseen. Part M could have separate sections on 'access' and 'facilities'. The 'access' section could then be integrated with Part K in a later revision.

Other issues

Increasing awareness

There are several issues affecting disabled people that should be considered and acted on when designing buildings but where guidance on minimum standards does not seem entirely appropriate. Communication systems and signage are examples. In both these areas Building Control will find it difficult to ensure that appropriate measures are adopted. In both cases there are several options and small differences in the use, size or furnishing of spaces will tip the balance in the choice of system. Building control need to ensure that applicants are aware of the issues and have followed best practice advice. Building control should be able to ask for an applicant's statement saying how such issues were to be dealt with. If the response was not satisfactory, Building control could ask for fuller details and seek advice on responses from experts and disabled people's organisations. Training for designers at both student and practitioner level is essential and should be a principal objective of access groups and organisations representing disabled people with incentives for training and execution of projects.

For new buildings, changes of use and extensive alterations applicants should be asked for statements on the provision of appropriate measures for communication systems, signage, colour contrast, lighting, rest areas and seating.

Performance criteria and reference to advice on best current practice for these and other issues should be included in the AD for Part M.

Enforcement

In response to several questions there were comments on the lack of effective enforcement of Part M. The issue was also discussed at seminars where the related issues of 'disabled access in the design process' and of 'pre-application consultation' were raised.

The recommendations in this report that extend the provisions of Part M will increase the problems of enforcement. Final decisions on several aspects of disabled access are commonly made at a late stage in design and even towards the end of the construction process. It is difficult to control such things as ironmongery, lighting, colour contrast and the surface of external paths through the plans approval system. If designer were to submit statements on how they intended to meet the guidance at plans submission stage, besides alerting the designers it might be easier to pick up omissions during inspections and to have them put right if the original intentions had not been followed.

Designer's statements on appropriate measures should be used to make enforcement more effective (see under 'increasing awareness')

Management

The importance of management was emphasised by several respondents and at the seminars. For some provisions to be fully effective staff need to be trained and management procedures adopted. The relationship between building regulation provisions and management is an issue that goes beyond Part M and applies to B, F, L, etc. In each case there is information available

to the designer which needs to be passed on to the people responsible for cleaning, maintenance repair and refurbishment.

A 'Building Control File' should be prepared for new buildings, changes of use and extensive alterations to alert managers to aspects of the design which depend on training and suitable management procedures.

Published 20 April 2001

Appendix 3 - Cost impact of proposed changes to Part M of the Building Regulations - 2001 review

1. Objective
2. Approach
3. Results - Table 1: Annual cost impact in England and Wales of Part M changes
4. Output Data - Table 2: Analysis of construction output statistics for 2000, England and Wales
5. Project Data - Table 3: Cost of Part M as a percentage of total cost
6. Cost of changes to Part M - Table 4: Annual cost impact by building type and type of work

Appendices [not included with this report but available on request]

- 4.1 Contractors Output by Type of Work (Building Type)
- 4.2 New Orders
- 5.1 BCIS Cost Analyses by Building Type
- 5.2 Comparison between existing and revised Part M
- 5.3 Example costing for building type
- 5.4 Summary of building project results

1. Objective

1. To estimate the cost impact in England and Wales of the proposed changes to Part M of the Building Regulations on:
 - a) each separate category of material change of use of an existing building;
 - b) material alterations to existing buildings within the meaning of the Building Act;
 - c) extensions to existing buildings, whether or not they include a ground floor, with the exception of extensions to dwellings; and
 - d) new buildings to which Part M applies as defined in the current Approved Documents.
2. The categories of material change of use in the Building Regulations are:
 - a) the building is used as a dwelling, where previously it was not;
 - b) the building contains a flat, where previously it did not;
 - c) the building is used as an hotel or a boarding house, where previously it was not;

- d) the building is used as an institution, where previously it was not;
 - e) the building is used as a public building, where previously it was not;
 - f) the building is not a building described in Classes I to VI in Schedule 2, where previously it was; or
 - g) The building, which contains at least one dwelling, contains a greater or lesser number of dwellings than it did previously.
3. A subsequent request was made to estimate the cost impact on converting buildings for use as shops.
 4. The proposed changes do not relate to dwellings.

2. Approach

1. An estimate of the overall annual cost of the proposed changes has been built up as follows:
 - The 2000 annual construction output has been broken down by building type and type of work;
 - The effect of the changes on typical projects for the range of building types and types of work identified has been estimated and expressed as a percentage of the overall project cost;
 - An annual estimate, at 2000, prices have been produced by applying the percentages derived in 2) above to the output estimates in 1);
2. The overall estimates have not been adjusted for assumptions on:
 - what proportion of the required work might currently be carried out as a result of the Disability Discrimination Act and the current social requirements;
 - what proportion of the work to existing buildings might be impractical or unreasonable to perform.
3. The estimates have been combined to give the figures required as set out in the objectives to the project.

3. Results - Table 1: Annual cost impact in England and Wales of Part M changes

1. The cost impact at 2000 prices for each category of building is given in section 6 (Cost of Changes to Part M) Table 1 summarises the costs in the breakdown required in section 1.

TABLE 1: Annual cost impact, in England & Wales, of Part M Changes			£ million 2000 prices
Cost impact in England and Wales of the proposed changes to Part M of the Building Regulations on:			
a)	Each separate category of material change of use of an existing building:		
	i.	The building is used as a dwelling, where previously it was not;	N/A
	ii.	The building contains a flat, where previously it did not;	N/A
	iii.	The building is used as an hotel or a boarding house, where previously it was not;	0.24
	iv.	The building is used as an institution, where previously it was not;	0
	v.	The building is used as a public building, where previously it was not;	0.83
	vi.	The building is not a building described in Classes I to VI in Schedule 2, where previously it was;	N/A
	vii.	The building, which contains at least one dwelling, contains a	
		greater or lesser number of dwellings than it did previously.	N/A
b)	Material alterations to existing buildings within the meaning of the Building Act;		68.26
c)	Extensions to existing buildings, whether or not they include a ground floor, with the exception of extensions to dwellings; and		0.06
d)	New buildings to which Part M applies as defined in the current Approved Documents.		120.37
	TOTAL		189.76

2. An estimate for the conversion of buildings into shops has been made. However, within the analysis of the output statistics the output from this sector was negligible in the year under review. Examining four schemes of this type (ie buildings used as shops where previously they were not) suggested an increase in cost of 1.4% for the changes to Part M. This represents £14,000 for every £1million spent.

4. Output data - Table 2: Analysis of construction output statistics for 2000, England and Wales

1. Construction Output Data has been supplied by the DTI. Where necessary, this data has been disaggregated as described below.

2. The Construction Output Data for non-housing work is split between New Construction and Repair and Maintenance. New construction is defined as including "extension, major alterations (i.e. improvements)". It has been assumed that all-relevant work i.e. new building, material change of use, material alterations and extensions will be included in the New Construction Output figures.
3. There is some inconsistency in the terminology used by DTI but in this report we have used 'Building Type' to mean 'defined by use' e.g. office, factory, etc and 'Type of Work' to mean 'defined by form of construction' e.g. alterations, extensions, etc.
4. DTI provided New Work Output data for England and Wales in 2000 broken down by Building Type as shown in appendix 4.1. This includes some identifiable building types, e.g. Offices, and some groupings of building types, e.g. Health.
5. The Output figures are not broken down by Type of Work. However the DTI provided figures for new orders for construction work for England and Wales in 2000 split between New Work and Renovations and Alterations, see Appendix 4.2.
6. The relationships in the new orders figures were used to breakdown the output figures. 'Renovations and Alterations' includes extensions, alterations and conversions.
7. The information supplied by DTI needed to be further broken down to estimate the value of:

- Institutions included in the housing figures;
- The main building types covered by some of the 'Building Type' groupings, e.g. Health split into hospitals and doctors surgeries;
- Horizontal extensions, Vertical extensions, Alterations, and Conversions.

8. To provide a basis for estimating these breakdowns information was obtained from the Glenigan sales lead service. Glenigan survey details of individual contracts awarded, on a weekly basis. The analyses were carried out for a two-week period and included 450 projects worth £1885.9m. The results did not cover all the possibilities but did provide the basis for reasonable estimates to be made.

9. The Glenigan survey did not include any vertical extensions. Examination of the BCIS database for the last 8 years identified 10 schemes for vertical extensions, out of a total of 3935 schemes. Examination of the brief details of these schemes was used to produce an estimate for the value of this work.

10. An estimate was also made of the amount of relevant building work included in the Infrastructure output figures.

11. Neither the survey of Glenigan information nor the BCIS database included any schemes for converting buildings to shops. Quite clearly there are such schemes. Therefore an estimate has been made for this category of work based on four notional schemes and is shown separately in the results.

12. The full analysis of the output figures is given in Table 2.

TABLE 2(a): Construction output 2000 - Public Sector

Total construction output for relevant building types allocated between new build, horizontal extensions, vertical extensions, alterations and conversions												
Type of work	Percentage of Output**		Output		Percentage of Repairs and Alterations Output***				Output			
	new build	repairs and alterations	new build	repairs and alterations	horizontal extensions	vertical extensions	alterations	conversions	horizontal extensions	vertical extensions	alterations	conversions
	(%)	(%)	£'million	£'million	£'million	£'million	£'million	£'million	£'million	£'million	£'million	£'million
Public												
Housing - New Work												
Housing												
Institutions	83%	17%	52	11	10%	0%	90%	0%	1	0	10	0
Factories	68%	25%	66	24	75%	0%	25%	0%	18	0	6	0
Warehouses	52%	48%	11	11	75%	0%	25%	0%	8	0	3	0
Oil, Steel, Coal*	60%	40%	2	1	75%	0%	25%	0%	1	0	0	0
Schools, Colleges					-	-	-	-				
Schools	70%	30%	454	194	74%	1%	23%	2%	144	2	45	4
Colleges	70%	30%	328	141	74%	1%	25%	0%	104	1	35	0
Universities				-	-	-	-					
Universities	56%	44%	178	140	59%	1%	40%	0%	83	1	56	0
Halls of Residence	56%	44%	45	35	30%	0%	70%	0%	11	0	25	0
Health				-	-	-	-					
Hospitals	62%	38%	473	290	80%	0%	20%	0%	232	0	58	0
Surgeries, clinics, etc.	62%	38%	53	32	25%	0%	75%	0%	8	0	24	0

)		lion	on	on	on	on	n	on	on	on	n
Private												
Housing - New Work									0	0	0	0
Factories	79%	21%	1532	407	75%	0%	25%	0%	305	0	102	0
Warehouses	93%	7%	1271	96	75%	0%	25%	0%	72	0	24	0
Oil, Steel, Coal*	75%	25%	37	12	75%	0%	25%	0%	9	0	3	0
Schools, Universities				-	-	-	-					
Schools	77%	23%	354	106	75%	0%	23%	2%	79	0	24	2
Universities	15%	85%	5	31	60%	0%	40%	0%	18	0	12	0
Health					-	-	-	-				
Hospitals	84%	16%	355	68	80%	0%	20%	0%	54	0	14	0
Surgeries, clinics, etc.	84%	16%	118	23	25%	0%	75%	0%	6	0	17	0
Offices	79%	21%	3674	977	10%	1%	85%	5%	93	5	830	49
Entertainment					-	-	-	-				
Theatres, cinemas, etc.	68%	32%	573	270	10%	1%	90%	0%	26	1	243	0
Hotel and catering	68%	32%	809	381	80%	0%	15%	5%	305	0	57	19
Sports	68%	32%	303	143	24%	2%	70%	5%	34	2	100	7
Garages	69%	31%	201	91	25%	0%	75%	0%	23	0	68	0
Shops	67%	33%	1568	773	44%	0%	55%	1%	340	0	425	8
Agriculture	71%	29%	87	36	50%	0%	50%	0%	18	0	18	0
Misc	62%	38%	226	138	50%	0%	49%	1%	69	0	68	1

	%											
Infrastructure Buildings	25%	75%	14	43	25%	0%	75%	0%	11	0	32	0
Total(excluding new housing)												
Total (excluding below)			11130	3592					1461	8	2036	86
Total - Private				14721								3592
Total - Public & Private				19047								5098
Notes												
* based on new/RA split of private sector Oil/steel/coal weighted by number of projects												
** based on New Orders figures												
*** based on analyses of Glenigan's figures												

5. Project Data - Table 3: Cost of Part M as a percentage of total cost

1. Examples of building projects in each category were selected from the BCIS Cost Analysis database. All examples were updated to Second Quarter 2001 tender price level and adjusted to UK mean location which is the same base as the costs in the BCIS Access Audit Price Guide.
2. Schemes selected for examination were based as closely as possible on the average floor area and storey height of the building from all the analyses included in each particular section, those with drawings and specifications accompanying the analysis were specifically targeted for selection. Appendix 5.1 shows the number of schemes found for each building type and form of construction.
3. In the absence of drawings, and in some examples, specifications and drawings, assumptions were made on work that was necessary to comply with Part M based on similar schemes.
4. The variations between the original and revised Part M requirements were provided by Mr. M. Finbow of NBA Tectonics. A Comparison was made between the original and revised Part M, and new and existing buildings, as provided in Appendix 5.2.
5. Costs have been taken from the BCIS Access Audit Price Guide adjusted to reflect their inclusion in the types of scheme under review.
6. An example of the costing for a building type is included in Appendix 5.3.
7. For each example the additional cost of complying with the changes to Part M was expressed as a percentage of the total cost of the project. A summary of the project results is included in Table 3.
8. No examples were available for some categories of building. For alterations to garages and agricultural buildings and conversions to miscellaneous buildings the percentage adjustments have been based on similar building types. For Oil, Steel, Coal and infrastructure buildings the percentage adjustments have been based on the average results for all other building types.
9. The building sizes have been based on averages from the BCIS data base but it should be borne in mind that the size of the building will affect the overall percentage rate, e.g. open plan office buildings of various size may have a similar entrance, w.c, lift, core area provision.
10. Some assumptions have been made in costing the projects as follows:
 - No allowance has been made for additional floor space to accommodate Part M requirements; it has been assumed that these will be incorporated into the existing area.
 - In existing buildings no allowance was made for structural alterations in increasing the width of corridors or for providing wheelchair passing places. Costs here would depend on the structure of the partitions to be removed and, if they were structural, the additional strengthening required.

- Where lifts were specified in analyses, additional items, in accordance with Appendix 5.2, were considered and included. Where no lifts were indicated wheelchair lifts or new lifts, as appropriate, were included in the schemes.
- In existing buildings containing lifts, costs for a refurbishment of the car and lobby call panels etc. were included. No allowance was made for replacing existing lifts if these did not comply with the size requirements of Part M. The replacement of a lift with a larger lift to comply with the Part M Requirements, would have a significant effect upon the additional costs and percentage increase for the appropriate buildings, especially if there will be a need to increase the dimensions of the existing liftwell.

11. The resultant cost changes as a percentage of the total cost for each category of building is given in Table 3.

TABLE 3: Cost of Part M changes as a percentage of total cost^[1]					
Type of work	new build	horiz. extns.	vertical extns.	alterations	conversions
	(%)	(%)	(%)	(%)	(%)
Public					
Housing - New Work					
Institutions	0.2	0.4		1.8	
Factories	0.9	1.2		3.6	
Warehouses	1.0	0.4		0.4	
Oil, Steel, Coal	0.6	1.0			
Schools, Colleges					
Schools	0.3	0.7	1.8	1.4	4.1
Colleges	0.9	1.9	1.8	2.4	
Universities					
Universities	0.5	0.5		1.5	
Halls of Residence	0.8	0.5		0.9	
Health					
Hospitals	0.1	0.6		1.4	1.0
Surgeries, clinics, etc.	0.7	0.8		2.7	
Offices	0.9	3.7		3.8	6.0
Entertainment					
Theatres, cinemas, etc.	1.3	1.4		1.5	
Hotel and catering	0.6	0.8		1.6	1.8
Sports	0.5	0.6		1.5	2.9
Garages	0.9	1.4		1.5	1.6
Shops	0.1	1.1		1.6	
Agriculture	0.4	0.4		0.4	
Misc.	0.6	0.7		1.8	1.8
Private					
Factories	0.9	1.2		3.6	

Warehouses	1.0	0.4		0.4	
Oil, Steel, Coal	0.7	1.1		1.8	
Schools, Universities					
Schools	0.3	0.7		1.4	4.1
Universities	0.9	1.9	1.8	2.4	
Health					
Hospitals	0.1	0.6		1.4	1.0
Surgeries, clinics, etc.	0.7	0.8		2.7	
Offices	0.9	3.7		3.8	6.0
Entertainment					
Theatres, cinemas, etc.	1.3	1.4		1.5	
Hotel and catering	0.6	0.8		1.6	1.8
Sports	0.5	0.6		1.5	2.9
Garages	0.9	1.4		1.5	
Shops	0.1	1.1		1.6	
Agriculture	0.4	0.4		0.4	
Misc.	0.6	0.7		1.8	1.8
Infrastructure Buildings	0.7	1.1		1.8	

6. Cost of changes to Part M - Table 4: Annual cost impact by building type and type of work

1. Applying the percentages for the relevant building types in Table 3 to the figures for output in Table 2, produces an estimate of the total expenditure for the Part M requirements for the relevant building types allocated between new build, horizontal extensions, vertical extensions, alterations and conversions.
2. The resultant total expenditure for the relevant building types to comply with Part M is given in Table 4.
3. A summary of the individual project results is given in Appendix 5.4. [available on request]

TABLE 4: Cost of changes to Part M					
Total cost of output of relevant building types allocated between new build, horizontal extensions, vertical extensions, alterations and conversions					
Part M costs £million					
Type of work					
	new build	horizontal extensions	vertical extensions	alterations	conversions
	£'million	£'million	£'million	£'million	£'million
Public					
Housing - R & M					
Housing - New Work					

Housing					
Institutions	0.105	0.004	0.000	0.174	0.000
Factories	0.594	0.218	0.000	0.218	0.000
Warehouses	0.114	0.032	0.000	0.011	0.000
Oil, Steel, Coal	0.011	0.90	0.000	0.000	0.000
Schools, Colleges	0.000	0.00	0.000	0.000	0.000
Schools	1.361	1.007	0.035	0.626	0.159
Colleges	2.956	1.979	0.025	0.844	0.000
Universities	0.000	0.000	0.000	0.000	0.000
Universities	0.892	0.413	0.000	0.841	0.000
Halls of Residence	0.357	0.053	0.000	0.221	0.000
Health	0.000	0.000	0.000	0.000	0.000
Hospitals	0.473	1.390	0.000	0.811	0.000
Surgeries, clinics, etc.	0.368	0.064	0.000	0.652	0.000
Offices	2.855	0.391	0.000	3.416	0.317
Entertainment	0.000	0.000	0.000	0.000	0.000
Theatres, cinemas,etc.	0.000	0.000	0.000	0.000	0.000
Hotel and catering	0.000	0.000	0.000	0.000	0.000
Sports	1.879	0.188	0.000	1.315	0.182
Garages	0.454	0.020	0.000	0.063	0.000
Shops	0.029	0.080	0.000	0.146	0.000
Agriculture	0.020	0.018	0.000	0.018	0.000
Misc.	2.280	1.252	0.000	3.285	0.066
Private	0.000	0.000	0.000	0.000	0.000
Housing - New Work	0.000	0.000	0.000	0.000	0.000
Housing - R & M	0.000	0.000	0.000	0.000	0.000
Factories	13.786	3.665	0.000	3.665	0.000
Warehouses	12.713	0.287	0.000	0.096	0.000
Oil, Steel, Coal	0.257	0.101	0.000	0.055	0.000
Schools, Universities	0.000	0.000	0.000	0.000	0.000
Schools	1.063	0.555	0.000	0.341	0.087
Universities	0.049	0.349	0.000	0.294	0.000
Health	0.000	0.000	0.000	0.000	0.000
Hospitals	0.355	0.325	0.000	0.190	0.000
Surgeries, clinics, etc.	0.829	0.045	0.000	0.457	0.000
Offices	33.062	3.432	0.000	31.541	2.930
Entertainment	0.000	0.000	0.000	0.000	0.000
Theatres,	7.451	0.359	0.000	3.641	0.000

cinemas, etc.					
Hotel and catering	4.855	2.437	0.000	0.914	0.343
Sports	1.517	0.201	0.000	1.499	0.207
Garages	1.813	0.317	0.000	1.018	0.000
Shops	1.568	3.739	0.000	6.798	0.000
Agriculture	0.349	0.071	0.000	0.071	0.000
Misc.	1.354	0.484	0.000	1.220	0.025
Infrastructure Buildings	0.100	0.118	0.000	0.581	0.000
Total (excluding new housing)					
Total					189.76

[1] Based on the analysis of individual projects.

Appendix 4 - Building Regulations (England and Wales) Part M - Proposals for revising the requirement and guidance in relation to non-domestic buildings

Overall responses to the public consultation of November 2002

There were 192 responses to the public consultation. The following are the percentage responses to each of the questions on the consultation Response Form.

The comments that were either noted on the Response Form, or included in supplementary notes are not reproduced here, but they will be taken into account in the final revision of Approved Document M.

1 Removal of the Limits on Application of the Requirements

1.1 Do you agree in principle that work to existing buildings should comply with the Requirements of Part M?

Yes 75% (94% of the 80% who responded)

No 5%

No response 20%

1.2 The Building Regulations 2000, Part II, 3.(2) defines an alteration as 'material' if the work, or any part of it, would at any stage result in a building not complying with a relevant requirement where previously it did, or in a building which before the work commenced did not comply with a relevant requirement, being more unsatisfactory in relation to such a requirement (Part M is a 'relevant requirement'). Do you agree that its meaning is sufficiently clear and adequate in relation to and consistent with the access requirements of Part M set out in the draft Approved Document - Guidance, paragraphs 0.5 and 0.6?

Yes 58% (74% of the 78% who responded)

No 20%

No response 22%

1.3 Do you agree that it is reasonable to qualify the requirement for work to existing buildings to comply with Part M 'to the fullest extent practicable'?

Yes 64% (82% of the 78% who responded)

No 14%

No response 22%

1.4 It has been suggested that application of the Requirements of Part M to cover some categories of change of use could lead to difficulties in disposing of listed and scheduled buildings, such as historic Court buildings which have become surplus to requirements, and that such buildings should therefore be exempted from the requirements. Do you agree?

Yes 21%

No 56% (73% of the 77% who responded)

No response 23%

1.5 Do you agree that the proposals allow sufficient flexibility to permit modest refurbishments to be carried out without the risk that occupiers will be deterred by costs disproportionate to the benefits?

Yes 59% (79% of the 75% who responded)

No 16%

No response 25%

1.6 Do you agree that the Regulatory Impact Assessment accurately reflects the likely costs of carrying out such alterations?

Yes 29% (64% of the 45% who responded)

No 16%

No response 55%

2. Introduction to the Guidance

2.1 Is the relationship between AD M and AD K clear?

Yes 64% (91% of the 70% who responded)

No 6%

No response 30%

2.2 Is the relationship between AD M and BS8300: 2001 clear?

Yes 53% (75% of the 71% who responded)

No 18%

No response 29%

3. Section 1 - Access to buildings other than dwellings

3.1 Internal ramps above a certain height are required to be accompanied by stairs (see Section 3.35 and 3.36). Do you agree that it would be unreasonable to require all external ramps to be provided with alternative stair access?

Yes 49% (65% of the 75% who responded)

No 26%

No response 25%

3.2 If you do not agree that all external ramps should have alternative stair access, do you agree that, in some circumstances, alternative stairs should be provided?

Yes 36% (92% of the 39% who responded)

No 3%

No response 61%

4. Section 2 - Access into buildings other than dwellings

4.1 2.13, Table 2 and Diagram 9 define the clear opening width required for doors. Is this definition clear and satisfactory?

Yes 54% (73% of the 74% who responded)

No 20%

No response 26%

4.2 2.25 - 2.29 specify the guidance on dimensions of lobbies. Are these recommendations clear and satisfactory?

Yes 53% (74% of the 72% who responded)

No 19%

No response 28%

5. Section 3 - Horizontal and vertical circulation

5.1 3.22 - 3.32 sets out guidance on the provision of lifts, including platform lifts and stairlifts. This expands on previous guidance. Are these recommendations clear and satisfactory?

Yes 48% (66% of the 73% who responded)

No 25%

No response 27%

5.2 3.26(a): No change is proposed to the current guidance on limits of floor areas above which lift provision is recommended. Is this approach sensible and desirable?

Yes 49% (71% of the 69% who responded)

No 20%

No response 31%

6. Section 4 - Facilities in buildings other than dwellings

6.1 The guidance on audience facilities is considerably expanded, but the recommendations for provision in small spaces are less onerous than previously. Do you agree that this is justified?

Yes 46% (72% of the 64% who responded)

No 18%

No response 36%

6.2 The guidance on sleeping accommodation is also expanded. Do you agree that this is justified?

Yes 65% (89% of the 73% who responded)

No 8%

No response 27%

6.3 The guidance on switches, outlets and controls is new to buildings other than dwellings. Do you agree that this is justified?

Yes 63% (86% of the 73% who responded)

No 10%

No response 27%

7. Section 5 - Sanitary accommodation in buildings other than dwellings

7.1 This Section is considerably expanded and now includes guidance on washing facilities previously included elsewhere. Do you agree that including all sanitary accommodation in one Section is sensible and appropriate?

Yes 68% (89% of the 76% who responded)

No 8%

No response 24%

Summary of detailed comments from the public consultation of November 2002

1 The response to the consultation

A total of 192 responses were received from construction industry organisations, Access Groups, local authority Building Control Officers and Access Officers, Approved Inspectors, as well as Historic building specialists, miscellaneous Public sector organisations and experienced individuals.

The percentages of each group were as follows:

Access Officers, Consultants and Access Groups - 36%

Architects, Surveyors and Construction Industry organisations - 31%

Building Control Officers and Approved Inspectors - 15%

Public sector and Historic building organisations, and individuals - 8%

The overall response to the proposals was very encouraging, in particular to the proposals to reflect a more "inclusive" approach (access for all) and to extend the scope to include existing buildings. Many expressed the opinion that the revised draft represented a significant step forward.

Inevitably, the range of comments tended to reflect the variety of backgrounds and interest groups. Those whose background was in the specialist field of disability tended to ask for the same level of detail as is included in BS 8300 (and sometimes more); those from the construction professions, while supporting the aims of the extended scope of the Approved Document, warned against making the provisions too prescriptive and thus discouraging innovative design. There is, of course, nothing to stop a designer proposing different solutions to meeting the fundamental requirement/s of Part M, particularly given the concept of the Access Statement (see later).

2 The Requirements

2.1 Individual Requirements

Since it is proposed that Part M applies to all non-domestic buildings and parts of such buildings, it was suggested that it might not be necessary to retain separate requirements for audience seating and sanitary accommodation. This would result in just two requirements; M1 for Non-domestic buildings and M2 for Dwellings.

There was extensive comment on the incorporation of the phrase "accessible and usable by all those who could be expected to use the building". The major access groups wanted "by all

those who could be expected to use the building" deleted on the grounds that, if Part M followed the principles of inclusive design, all people should be expected to use all buildings.

On the other hand, it was acknowledged by other respondents that there are some types of building where it would not be reasonable to apply provisions for certain groups. Examples given include offices (not normally used by children), military establishments and prisons. It was noted also that other ADs (e.g. B and K) imply that not all environments need to be accessible to disabled people.

2.2 Limits on application

There was some concern about the exemption for maintenance and service areas in the Limits on Application, bearing in mind circumstances where disabled staff may need to access certain control boxes or cut-off switches for water, heating, security systems etc.

3 The extension of the scope of Part M to existing buildings

3.1 Existing buildings

Of those people who responded to the question, 94% were in favour of extending the scope of Part M to existing buildings (see question 1.1 in Annex B). However, there were many comments on how the extension of the scope to include extensions and material alterations would be interpreted in the light of existing Regulations 4,5 and 6, and the use of the wording "to the fullest extent that is reasonably practicable" in paragraphs 0.4 and 0.6 of the consultation draft. The following are examples.

3.2 Material alterations

There was some concern that a proposal to carry out an alteration, no matter how small, would trigger the need for extensive work to the building giving access to the alteration, this work being out of all proportion to the original alteration. An example was given of a proposal to introduce a cellular office into an existing open plan area on the 3rd floor of an office block. The question was raised whether this minor alteration within the building would trigger full application of Part M, e.g. from the entrance of the site, through the provision of designated car parking, ramped approach, internal access, lift provision and disabled toilet facilities.

There was some concern that the definition of "material alteration" implies that, if works maintain previous standards, they are not "material" and therefore not subject to the revised Part M. Regulation 3 (2) might need to be revised so that the application of Part M to alterations can be implemented.

3.3 Changes of use

The proposal that a shop should be classed as a public building was supported by the major Access organisations and also by the comments made at the Consultation Seminars. This might require Regulation 6 (1)(a) to be amended in respect of changes of use to include Part M and Regulation 5 changed to include Offices and Shops.

3.4 Wording - "to the fullest extent that is reasonably practicable"

Respondents were concerned about the use of both "fullest extent" and "practicable". While influential access groups would prefer to have no qualification whatsoever, another view was that to include "as far as is practicable" would be satisfactory, given that "reasonable" is incorporated in the main Requirement of the regulation.

3.5 Historic buildings

Of those who addressed the question, the great majority of respondents (73%) thought that there should be no exemptions for historic buildings when subject to a change of use (see question 1.4 in Annex B).

4 Access Statements

There was overwhelming support for the concept of the Access Statement. Most respondents wanted the Access Statement to be prepared for all Planning and Building Regulation applications and to be a positive statement identifying innovative approaches that depart from the guidance but achieve the same (or a better) standard of access, rather than just a means of stating how it was not possible to comply with the provisions in AD M.

There was, however, some concern about the competency of the people writing the statements and how they would be monitored for consistency and quality. Consistency in the approach to consultation with Access and Conservation groups was another issue of concern, as well as how Approved Inspectors would be encouraged to engage with advisory groups.

5 The proposed inclusive approach

Unlike the current Part M, which is specifically targeted at access for disabled people, the proposed revision takes a more inclusive approach. There was overwhelming support for the proposal to include not only ambulant disabled people, wheelchair users and people with sensory disabilities, but also people with learning difficulties, people of short stature, elderly people and parents with children or babies; in effect, access for all, regardless of disability, age or gender.

6 Reference to disabled people and their disabilities

A number of organisations representing disabled people expressed a preference for difficulties

to be focused on the nature of the "barriers" to access and use, rather than on the problems experienced by disabled people.

A number of commentators warned against using the term "accessible" in too general a sense within the provisions. They commented that, while the aim is for buildings to be accessible to all, it should be made clear where provisions were intended for the benefit of specific groups, e.g. wheelchair users.

7 The relationship with BS 8300

Attention was drawn to a number of cases where the guidance in the draft revision to AD M differs from the recommendations in BS 8300, often going beyond the recommendations of the BS. A respondent who had been a member of the BS 8300 Steering Panel commented that it is in the nature of the consensual development of regulations that there will be differences between what is in Part M and other sources of guidance, including BS 8300.

8 Issues concerning the technical guidance and provisions

8.1 Section 1- Access to buildings

Due to the complexity of guidance on tactile paving in relation to different circumstances, a number of respondents thought that it might be better to refer to the DfT Mobility and Inclusion Unit's "Tactile Paving Guide", rather than include partial guidance on a limited number of circumstances.

There was a variety of suggestions for the circumstance where steps should be provided in addition to a ramp externally, some related to the slope and length of the ramp and others to the vertical distance to be travelled. Generally, it was thought that steps should be provided in new developments, but in any case where the rise was greater than 200mm (as proposed for circulation internally). Handrails are preferred on both sides of a ramp irrespective of circumstance.

8.2 Section 2 - Access into buildings

The proposals for the clear opening width of entrance doors to take the projection of door ironmongery was accepted (73% in favour from those who responded to the question - see question 4.1 in Annex B), but it was noted that in some instances, the preferred clear opening will give rise to door sizes outside those generally available.

There was a view that external doors (particularly powered doors) should have a clear width of 1000mm as they would be used to evacuate buildings and therefore could be used by people using sticks and crutches, as well as parents with children in double buggies etc.

The major disability groups consider that no revolving door is safe, unless there is an adjacent

alternative door that is accessible to all people at all times.

Since the use of an external lobby is likely to be frequent, it was felt that the larger lobby dimensions should be used, even where there are vision panels in either or both doors.

8.3 Section 3 - Horizontal and vertical circulation

More guidance was requested on where lifts should be provided and what sizes were needed in which circumstances.

Of the respondents who answered the question, 71% favoured no change to the 280m² and 200m² area limits. Nonetheless, there were a number of strongly held views to the contrary. Some suggested that the limits should be reduced and others that the need for a lift should relate to the use of the building (not a prescriptive floor area), with the argument being made in the Access Statement.

A small minority were insistent that platform lifts should only be considered for existing buildings.

8.4 Section 4 - Facilities

A few respondents questioned whether it is appropriate for colour contrast and the provision of furniture/fittings (e.g. reception desk) to be subject to building control.

Although 72% of respondents who answered the question (see question 6.1 in Annex B) appeared in favour, there was concern from a significant number of access groups that the proposed proportional guidelines for audience seating (taken from BS 8300) were inadequate, also providing a lower standard than given in the current Part M.

A substantial number of groups representing disabled people commented that, in their experience, the most accessible means of bathing is a shower, and that this should be reflected in the provision of en-suite bathing facilities in, for example, hotel bedrooms.

Of those respondents who answered the question, 86% were in favour of having provisions for switches and controls included in Part M (see question 6.3 in Annex B). There were a few people, however, who felt that the proposals were too prescriptive and, in any case, the provisions concerning the location of switches and socket outlets might not be applicable to all parts of buildings, e.g. in open plan offices.

8.5 Section 5 - Sanitary accommodation

Many respondents from key access organisations asked for more information on the provision of different types of toilet accommodation, starting with a basic provision of a single WC cubicle and extending to the provision of different types of cubicle in separate-sex toilet washrooms and unisex toilets in large buildings.

Clear guidance was requested on the size and amenities to be provided in toilet cubicles, not only for ambulant disabled people, but also for users such as children, people with babies and people with assistance dogs.

There was general agreement that baby-changing facilities should be separate from unisex toilet accommodation, rather than included within it, although there was the need on occasions for a changing table to be provided for severely disabled adults.

Other subjects on which guidance was requested included:

- signs on cubicles for ambulant disabled people
- provision and height of urinals for children
- the relative provision of toilet facilities for men and women.

9 The impact on building control services

There was some concern that the workload and therefore cost to building control bodies would increase substantially. One respondent highlighted a situation where an alteration generating a fee of £200 for Building Control would require a substantial amount of work to be undertaken to address disabled access, for which no additional fee would be obtained. Since Building Control services are required to be self-financing, it was claimed that this workload could compromise the economic viability of the service.

The respondent also questioned whether it would be reasonable to expect Building Control Bodies to issue decisions within the current timescales, given the need to assess the Access Statement and possibly consult with local and national advisory organisations.

Another commentator noted that a BCO might find it difficult to judge what is "reasonable" in proposals for an existing building, in particular any alternative solutions described in an Access Statement, without an access audit having been carried out and without some guidance being provided on what might constitute "disproportionate cost".

10 Concerns from commercial clients

Of those who responded to this question, 79% thought that the proposals allowed sufficient flexibility for modest refurbishments to be carried out without the risk that occupiers would be deterred by costs disproportionate to the benefits (see question 1.5 in Annex B).

However, one organisation representing property companies was concerned that the process of demonstrating that improvements to existing buildings are financially and physically impracticable would be costly and time consuming, delaying improvements to the building stock and, at worst, deterring previously intended improvements. They also suggested that works might be abandoned altogether if improvements to upgrade accessibility could not be carried out in phases.

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Appendix 5 - Part M Working Party review of response to consultation

ODPM officials and the consultant assisting with the Review prepared papers setting out the detailed points made in responses, options available to the Working Party (WP) for dealing with such points, and their recommendations on preferred options. The WP met on three occasions to discuss these papers and the options agreed by the WP were as follows:

Recommendations and options

Page 79 - The Requirements

Adopt the following options:

3. Reasonable provision shall be made for buildings and their facilities to be accessible and usable.
4. Have M1 for non-domestic buildings and M2 for dwellings.

Page 82 - 0.5 to 0.7 - Where the requirements apply - Material alterations and changes of use

Definition of material alteration

Adopt the following options:

1. Review the definition of "material" in respect of Part M (Regulation 3(2))
2. Give a few examples of what would constitute a material alteration.

Extent of Part M compliance

Adopt the following options:

2. Allow Part M work to be done in phases, these being clearly set out in the Access Statement.
3. Allow a case for disproportionate cost to be argued in the Access Statement.

Addition to Option 3: explain compensatory measures.

Shops and changes of use in relation to Part M

Adopt the following options:

1. Amend the sentence after Regulation 2(2)(c) in the Building Regulations 2000 to omit the word "shop".
2. Add a Regulation 6(1)(f) : "In the case of a material change of use described in Regulation 5(d) or 5(e) to M1 (access and use of non-domestic buildings)."

3. Amend Regulation 6(2) (b) to add (f) to the list.

4. Make reference to the paragraph under "Use of guidance" which states that Part M would apply to the shared parts of mixed use developments.

"to the fullest extent that is reasonably practicable"

Adopt the following option:

Delete "to the fullest extent that is reasonably practicable" from paragraphs 0.5 to 0.7.

Page 89 - 1.13 - Level approach

1.13a - Surface width of the access route

Adopt Option 2:

2. Keep 150mm as shown at present and do not acknowledge specifically the need for narrower or wider access routes. (Rely on the Access Statement to make the case for different widths).

Local obstructions could include trees.

1.13d - Undulations on the access route

Adopt Option 4:

4. Adopt 3mm under a 1m straight edge, as in "Inclusive mobility".

1.13g - Reference to tactile paving?

Adopt Option 1:

1. Retain some guidance on different types of tactile paving, add qualifications from the Tactile Paving Guide where reasonable to do so and transfer details of the different types of paving to the relevant diagrams. Emphasise that additional detail is in the DfT guide.

1.13e - Kerbs or level access for setting down points?

Adopt Options 1 and 4:

1. Keep the clause as it is with reference only to the surface of the setting down point level with the carriageway.

4. Do not include "if feasible" and allow the feasibility case to be argued in the Access Statement.

1.26 b and Table 1 - Ramp gradients for short flights

In the "Design Considerations", state that where in an inner city shop fit-out a ramp gradient of 1:12 may not be practicable, the Access Statement will allow

the designer to state what is achievable.

1.26e - Surface width of ramps

Adopt Options 1 and 4:

1. Keep 1500mm minimum surface width and allow any relaxation to be argued in the Access Statement.
4. Define surface width to be between upstands, kerbs or skirtings (with handrails projecting into the surface width).

In the "Design Considerations", state that Option 2 (width of 1200mm) is allowed in the Access Statement.

1.26k - Gradient of landings, cross-falls and access routes with low gradients

Adopt Options 2 and 4:

2. Define a level landing as one where there is a maximum gradient of 1:60 along its length and a maximum cross-fall gradient of 1:40.
4. Limit the rise of any access route that is not a ramp to 500mm between level landings (irrespective of gradient).

1.26l - Provision for handrailing on both sides of a ramp

Adopt Options 4 and 5:

4. State that there should be a handrail on both sides of ramps.
5. Let any exceptions on handrailing, e.g. for short ramps to shop entrances, be argued in the Access Statement.

1.26m - Provision for an upstand at all exposed edges of ramps

Adopt Option 2:

2. Provide for an upstand at exposed edges of all ramps, in conjunction with handrails.

1.26n? - Provision of steps as well as a ramp

Adopt Options 1, 2 and 4, but edit option 2:

1. Add a new paragraph (1.26n) to cover the provision of steps as well as a ramp.
2. Make the cut-off point where the vertical travel distance is 300mm or more.
3. Add the vertical distance travelled for each ramp gradient and length of flight to Table 1.

1.33d - Corduroy hazard warning on intermediate landings

Adopt Options 1 and 2: (Option 2 to be further checked)

1. Keep a requirement for a corduroy surface at intermediate landings onto which there is access.
2. Accept an option of having a 400mm corduroy surface within the access route immediately before the landing, but not on the landing where there is a continuous handrail on the other side of the landing.

1.33f - Minimum widths of steps and stairs, and ramps

Adopt Option 1:

1. Include a provision for minimum surface width (between walls, upstands or strings) of 1500mm for ramps and 1200mm for stairs.

1.33i - Contrasting nosings

Adopt Option 1:

1. Adopt the dimensional guidelines given in the DfT's document "Inclusive Mobility" for contrasting strips on tread and riser.

1.33l - Rise and going dimensions and step profile

Adopt Options 3 and 5, but delete 6 (Include the point about excessive rounding of nosings in Design Considerations):

3. Amend the range for external steps to be 300 to 350mm.
5. Include the traditional formula from BS 8300.

1.36 - Provision of a second lower handrail to stairs

Adopt Options 1, 2 and 3:

1. In the Design considerations, indicate the need for a second handrail on stairs in a much wider range of buildings than just schools, for use by children and people of short stature.
2. Give a height dimension for the top of such a handrail (600mm has been suggested for infants and, from a German guide, 650mm for people of short stature) in the Note below the Provisions.
3. Restrict its use to "where there is full height structural guarding".

1.37 f, g and h - Handrail design

Adopt Options 1 and 3 to 5

1. Keep the proposed diameter of 40 to 50mm.

3. Increase the clearance range to be 50 to 75mm. (BRE)
4. Keep a provision for handrails not to protrude more than 100mm into the surface width of ramps or steps/stairs, where this would impinge on the stair width requirement of Part B1.
5. Keep a provision for the inner surface of the handrail to be no more than 50mm outside the line of the surface width of a ramp or stair.

2.13a and Table 2 - Clear opening width of doors

Adopt Options 1 to 4, 6 and 7.

1. Add a note to Design Considerations indicating that double buggies for children are wider than wheelchairs and that, where relevant to the building type, this should be taken into account when establishing clear door opening widths.
2. Refer to an allowance for "door opening furniture", and include weatherboards in the Note to Table 2.
3. Delete the 900mm access route option from Table 2.
4. Include the minimum clear opening widths from BS 8300, specifically for existing buildings, but state that the justification for using the minima should be argued in the Access Statement.
6. Include an opening width requirement of 1000mm for external doors of buildings used by the general public.
7. Use the term "effective clear width", which is used in BS 8300, instead of "clear opening width".

2.17a - Opening forces of entrance doors

Adopt Options 1 and 2:

1. Include a provision that, if it is not possible to open a manually operated external door using a force of no more than 20N, then a powered opening solution should be used.
2. Describe the 20N as an opening force.

2.21c - Warning techniques at automatic swing action entrance doors

Adopt Options 2 and 3:

2. Delete reference to tactile warning paving.
3. Indicate that sliding or sliding/ folding action automatic doors present less of a hazard and are preferred.

Explain in the Design Considerations that sliding doors are easier to navigate.

Note in the Provision that swing doors should have an audible warning. (Should swing doors

be pressure power operated using a push pad?)

2.21e - Operation of an automatic door in the event of a power failure

Adopt Option 1:

1. Keep the provision as stated in the consultation draft.

2.22 - Revolving doors

Adopt option 1:

1. Delete all reference to revolving doors being an acceptable solution.

2.24a - Details of manifestation

Adopt Options 1 and 4 to 9: (Agreed subject to further investigation with the JMU)

1. Maintain the provision for manifestation at 1050 and 1500mm heights for both doors and glazed screens.
4. Indicate that Part M takes precedence where there is a disparity between Parts M and N - (to be negotiated with Les Fothergill).
5. Give more detail on the nature of acceptable manifestation.
6. Indicate that manifestation can take the form of a logo, sign or decorative feature.
7. Indicate that individual elements, broken lines or continuous bands are acceptable for both circumstances.
8. Indicate in Design Considerations that having a different style of manifestation on doors and glazed screens can help differentiate between them.
9. Indicate that individual elements, e.g. a logo, should have a vertical size of at least 150mm.

2.29 a to d - Lobby dimensions and configurations

Adopt Options 1 to 6 and 8:

1. For entrance lobbies, use only the dimensions for non-vision panel doors, even if the doors are glass or have vision panels.
2. Indicate in Design Considerations that, for internal lobbies of existing buildings, the length could be reduced by the size of one door leaf projection if both doors to the lobby have vision panels.
3. For internal lobbies of new developments, use only the length dimensions for non-vision panels doors, even if doors have vision panels.
4. Include rules for reducing the length of lobbies if their width is increased.

5. Redefine the key width dimension to relate to the door itself and the access space at the leading edge of the door.

6. Maintain the 1570mm footprint for the wheelchair user as in BS 8300.

8. Amend the note shown under 3.16g to indicate that projections not more than 100mm can encroach into the nominal lobby space.

Note in Design considerations that when sliding doors are used, the length of the lobby can be reduced to not much more than the wheelchair footprint.

3.10 k - Electrically powered hold-open (and swing-free) devices

Adopt Option 1:

1. Include an item in Design Considerations about the benefits of using "swing free" devices and other closing mechanisms.

Also send out "Dear Chief Fire Officer" letters.

3.14g - Doors opening into corridors

Adopt Options 1 to 4:

1. Keep the guidance in the proposed Part M, but state that the guidance relates to major access and escape routes.

2. Make an exception where the corridor is not a major access or escape route and its width at that point is at least 1800mm.

3. Make an exception where the corridor is not a major access or escape route and the door is from a Unisex WCs.

4. Make an exception where the door serves a small store room or locked duct cupboard.

3.17 and 3.18 - Overall provision of lifts

Adopt Options 1, 2 and 3:

1. Introduce a new section on Provision of lifts, with its own Design guidance and Provisions.

2. Use design guidance to explain the characteristics of platform lifts and inclined platform lifts (platform stairlifts).

3. Set out the provision of lifts for new developments and alterations to existing buildings (making reference to minimum floor areas, if agreed - see below).

3.26a and 3.30 - Provision of lifts in relation to floor areas

Adopt Options 1 and 5 to 8:

1. The provision of lifts will comply with M1 if: New developments have a passenger lift serving all storeys. (It is assumed that any departure from this guidance will be argued in the Access Statement).

5. Indicate in Design Considerations that, where space is restricted, e.g. on infill sites in town centres, platform lifts may be the only practicable means of achieving access to upper storeys, but justification needs to be made in the Access Statement.

6. The provision of lifts will comply with M1 if: Existing buildings have a passenger lift serving all storeys, if a passenger lift cannot reasonably be accommodated. (Examples of where this solution might be reasonable to be added to Design Considerations)

7. The provision of lifts will comply with M1 if: Existing buildings have an inclined platform lift (platform stairlift) serving an intermediate level or single storey in exceptional circumstances, to be argued in the Access Statement.

8. Indicate that an inclined platform lift (platform stairlift) should not be installed on a main public stair.

3.26d - Sizes of lift for different users and numbers of users

Adopt Options 1 to 4 and 7:

1. Indicate in Design Considerations, the preference in a building where the lift serves storeys used by the general public for a larger than minimum size of lift car.

2. State that the internal dimensions of a larger lift car to be 2000mm wide x 1400mm deep.

3. Keep the minimum lift size at 1100 x 1400mm as in consultation draft.

4. State that the clear door opening widths to be 900mm for a 1100mm wide x 1400mm deep lift and 900mm for a 2000mm wide x 1400mm deep lift (as shown in prEN 81-70). - to be rechecked.

7. Include a 2m x 2m circulation space when associated with a 2000 x 1400mm lift.

DP to check the relative status of prEN 81-70 and BS ISO 4190-1, particularly in respect of door opening sizes.

3.34b and Diagram 12 - Number of risers for internal stairs

Adopt Option 2:

2. Change the guidance to reflect the wording in BS 8300.

Final decision on this to be deferred to the next meeting.

Also, add a provision on the protection against hazards beneath the sloping soffit of stairs, both externally and internally.

4.12 c. - Provision of wheelchair spaces in audience seating

Adopt options 2 to 4, and 7: (options 2 and 4 are revised):

2. Change Table 3 to require a minimum of 1% of the permanent seating capacity or 6 spaces (whichever is the greater) to be wheelchair spaces for a seating capacity under 10 000 seats.
3. Refer to the forthcoming football stadia guide for guidance on spaces for stadia with seating capacities of 10,000 and above.
4. Allow all spaces up to 1% to be provided by permanent spaces, the remainder by easily removable standard seats.
7. Require the wheelchair parking space to be 1400 x 900mm as in the current Part M, and football stadia guidance.

4.12 i. - Wheelchair space diagrams - Diagrams 14 and 15

Adopt revised option 2 and option 3:

2. For theatres, use figures 66 and 67 from BS 8300 instead of Diagram 15 and indicate that they are possible solutions only.
3. For football stadia, omit Diagram 14 and make reference to the Football Licensing Authority (FLA) publication.

4.24 - Sleeping accommodation

The meeting considered that there should be at least as many shower rooms as bathrooms in wheelchair-accessible hotel bedrooms.

Adopt options 1,3 to 5, and 8 (as amended).

1. Give greater emphasis in the Design Considerations to the benefits of en-suite shower rooms and the justification for their greater proportion.
3. Avoid being specific in Diagram 17 by marking a location for the en-suite room, but labelling it as either a bathroom or a shower room.
4. Ensure that all provisions relating to elderly people and people with disabilities (who are not wheelchair users) are included in standard bedrooms. The item to be added is the room number in embossed characters.
5. Maintain a requirement that doors from corridors to all hotel bedrooms need to comply with Table 2.
8. Add in Design Considerations that entrance doors to wheelchair-accessible hotel rooms to be either "powered", or "swing free". Note that a powered solution would be beneficial not only to wheelchair users but also to elderly people. It would also avoid the need for the 300mm access space adjacent to the leading edge of the door.

4.30 - Provision for switches and controls

Adopt options 3 (as amended) and 4:

3. Retain both the Design considerations and the Provisions, but amend 4.30a, 4.30 b., 4.30c and 4.30f as indicated below. The upper range of 4.30c goes up to 1200mm instead of 1000mm.
4. Indicate that 4.30i is not intended to apply to switches, outlets and controls where access is limited to authorised persons.

Paragraphs to be amended as follows:

- a. To apply to wall mounted items. The Design Considerations will refer to the use of floor outlets in open plan offices.
- b. Reduce the range for permanently wired switches to 400mm. Add "unless needed at a higher level for particular appliances."
- c. The 750 - 1200mm range is acceptable for precise hand controls.
- f. Edit to remove the reference to meters, but show as controls that need close vision to be in range 1200 to 1400 (thermostats at the top of the range)

4.35 b. - Spaces to be equipped with a hearing enhancement system

Adopt options 3 to 5 (as amended).

3. Delete the 100m² minimum area requirement from 4.12 k. 4. Make it clear in 4.36 b. that provision for a hearing enhancement system should be installed in all the spaces described and at service and reception counters when they are situated in noisy areas or they are behind glazed screens.
5. Indicated in Design Considerations that, for small meeting rooms, a portable loop would be acceptable. Also, explain the risk of overlapping signals from loops in adjacent rooms.

5.5. to 5.11. - Toilet provision (unisex and in toilet washrooms)

Make the point that some disabled people need to lie on a changing bench in WC provision - at least one might be provided in larger premises, such as retail centres, leisure and entertainment centres.

Adopt options 2, 4 13, 15, 19 to 20 (as amended).(see below)

2. Include guidance on the minimum provision, but express as principles rather than in terms of numbers.
4. Include guidance on the provision of low-level urinals and washbasins in separate-sex toilet washrooms.
5. Require standard cubicles to be 1800mm, rather than 1500mm long (which would tend to

assume the application of the 450mm diameter turning space between the door and the WC pan).

6. Require all standard cubicles to be 900mm wide, particularly when likely to be used by women with infants (unless a separate parent and child cubicle is provided).

8. State a preference for the doors of all standard cubicles to open out, particularly at locations such as transport terminals where people are likely to be carrying luggage.

11. Indicate that cubicles for ambulant disabled people should be 900mm wide if they have no washbasin, and 1200mm wide if they do.

13. Include a provision that any cubicle shared by ambulant disabled people and parents with children to be 1200mm wide and have a standing height full washbasin.

15. Maintain a reference to the use of peninsular unisex WC layouts, in spite of the qualification in BS 8300 that they should be used only where trained assistance is available.

16. Include a transfer direction diagram in Part M.

19. For Sports buildings, reference should be made to Sport England guidance.

20. Make it clear that baby changing facilities should always be separate from WCs for use by disabled people (subject to the acceptable use of cubicles for parent and child?).

The following amendments were agreed:

1. Include guidance on the minimum provision, but express as principles, rather than in terms of numbers.

2. Include guidance on the provision of low-level urinals and washbasins in separate-sex toilet washrooms.

3. Require standard cubicles to take account of the application of the 450mm diameter turning space between the door and the WC pan. (see BS 8300, p. 119)

4. Include a provision that any enlarged cubicle shared by ambulant disabled people, parents with children/babies or people with luggage to be 1200mm wide and have its length dependent on maintaining an activity space with the door opening in or out. The enlarged cubicle to be provided where there are 4 or more cubicles in a toilet washroom.

5. Maintain a reference in Design Considerations to the use of peninsular unisex WC layouts, in spite of the qualification in BS 8300 that they should be used only where trained assistance is available.

6. Describe the transfer direction on the diagrams in Part M.

7. Include in Design Considerations a reference to the provision of a changing bench in a

unisex WC in larger premises, such as retail centres, leisure and entertainment centres.

8. For Sports buildings, reference should be made to Sport England guidance.

9. Make it clear that baby-changing facilities should always be separate from wheelchair-accessible unisex, but they could be accommodated in the enlarged cubicle in toilet washrooms.

Paragraph 5.14 f: Travel distances to WC

Adopt options 3, 8, 9 and amend option 6.

3. Make it clear that travel distances relate to the use of toilet facilities only by wheelchair users.

6. Delete reference to 100m and use the 40m horizontal travel distance (assuming that the route can be obstructed) (as current Part M). Add to the Design Considerations that where the route is unobstructed a longer distance may be argued in the Access Statement.

8. Make it clear that, if there is a passenger lift, vertical travel to a unisex toilet can be more than one storey.

9. Indicate that the number of storeys travelled by platform lift to a unisex toilet should be limited to one.

Paragraph 5.14 h: Design of Unisex WC cubicle

Wheelchairs are being made larger. Annex E of BS 8300 provides tables on dimensions of wheelchairs and their space requirements.

Add in Design Considerations that where a unisex toilet is the only facility, extra space should be allowed for an additional standing height wash basin.

Explain in Design Considerations the reason for providing a rigid wall-mounted support rail and mention the possibility of choosing either a wall mounted support rail set away from the wall or a second drop down rail. Should power-assisted sliding doors be fitted to unisex accessible WCs in all buildings? This should be considered in the next revision of BS 8300.

Adopt options 1, 3, 6, 7.

1. Add a second drop down support rail at 320mm from the centre line of the WC between the WC and the side wall for use by people who do not have sufficient strength to use the more distant wall support rail. Alternatively, provide a wall-mounted rail with its centre line 400mm from the wall.

3. Keep the unisex layout proportions, but have the option of making the room wider to accommodate a second wash basin at a height suitable for standing users.

6. Include all fixtures and fittings as guidance for users of Part M who might not have BS 8300.

7. Under Design considerations, encourage the use of chemical waste disposal units in both Unisex WCs and in cubicles for ambulant disabled people in separate-sex toilet washrooms.

Paragraph 5.18e and Diagram 22 - Changing rooms

Adopt options 2 (modified), 4 (modified) and 5 (edited).

2. Keep Diagram 22 for a changing room, but indicated in Design Considerations that the dimensions in Diagram 22 would apply also to changing facilities in clothes shops.

4. Include an emergency pull cord and a reset button in the changing room.

5. Include a note in Design Considerations to indicate that in large building complexes, such as retail parks and sports complexes, there should be one Unisex WC compartment (possibly one with a peninsular layout) with an adult changing table (include in 5.12 and 5.14).

In Design Considerations, explain that the extra space in a changing room for individual use, space is needed for a helper. The principle of having a separate wet and dry area should also be included.

Paragraph 5.18h and Diagram 23 - Shower facilities

Level access should be standard.

Adopt option 2 and add "Where showers are provided".

2. Where showers are provided in commercial developments, include a Provision for a minimum of one shower room accessible by a wheelchair user (see Diagram 23).

Paragraph 5.18m and Diagram 24 - Shower facilities, including a WC

Adopt options 1 and 2.

1. Maintain Diagram 24 as shown in the consultation draft and describe it as a shower room with WC, e.g. in a sports building.

2. Indicate in Design Guidance that an en-suite shower room in a hotel room would benefit from having a finger rinse basin in addition to a basin in a vanity unit.

[Refer back to hotel bedrooms.]

Paragraphs 5.19 to 5.21 - Shower facilities, including a WC

These sections will be redrafted after the RADAR report on hoists has been produced.

Annex - Reference to other industry documents

Refer to references 1 to 5, and 9:

1. JMU and Sign Design Society Sign Design Guide

2. BS 7594 on induction loop systems
3. BS EN 81-70 - Accessibility to lifts for persons including persons with disabilities
4. "Facilities for disabled spectators in stadia" to be published in Spring 2003.
5. DfT document "Inclusive mobility - a guide to best practice on access to pedestrian and transport infrastructure".
9. BS ISO 4190-1: 1999, which replaces BS 5655-5:1989.

Is the DfEE guide "Access for disabled people to school buildings - a management and design guide" still extant?

Add the ODPM document "Planning and access for disabled people - a good practice guide" and DRC "Guidance on access statements".

Include a reference to the "Rainbow project" report.

Proposed amendment of Part M of the Building Regulations (currently 'Access and facilities for disabled people') and Approved Document 'M'

Policy objectives

1. This Regulatory Impact Assessment (RIA) addresses the proposal to amend and update Part M of the Building Regulations 2000 applicable in England and Wales, which deals with access and facilities for disabled people. The legal Requirements of Part M are set out in Schedule 1 of the Regulations, and duplicated in an Approved Document (AD M - approved by the Secretary of State), which also contains guidance setting out ways of satisfying the Requirements. The publication in October 2001 of a new and comprehensive British Standard Code of Practice on access for disabled people makes this amendment essential. An initial public consultation exercise was carried out in 2000 to establish views on what issues the amendment should particularly address.
2. Within the Government's wider policy on an inclusive and sustainable society, therefore, the overall objective of the proposed amendments is to ensure that new buildings meet reasonable standards of accessibility and to secure cost-effective improvements to the accessibility of the existing building stock when other intended building work is carried out. This should support, and complement, the aims of the Disability Discrimination Act (DDA), without imposing disproportionate bureaucracy and costs on building owners, developers or enforcement bodies. It is expected to add to initial construction costs, but such costs should be offset by the diminution in potential liability of employers and service providers for the costs of access remediation work which may be required under the DDA.
3. The proposed changes in the Requirements and to Approved Document M fall into three main categories:
 - updating to take account of major changes to the relevant British Standard;
 - bringing Part M in line with other Parts of the Building Regulations by extending its scope to include alterations to existing buildings and certain changes of use; and
 - application of the concept of access and use for all.

Background

1. Until October 1999 Part M applied only to new non-domestic buildings. On 25th October 1999 the scope of coverage of Part M was extended to include new dwellings, but no changes were made to the guidance relating to non-domestic buildings. No further changes are proposed on this occasion to the guidance relating solely to dwellings. These proposed changes therefore relate only to the guidance on non-domestic building work.
2. That guidance is based on British Standard BS 5810:1979. During the regular course of review of the standard the responsible BSI Committee became concerned about the reliability of its recommendations, and with support from DoE commissioned a detailed literature study, published in 1989 as BS PD 6523. This concluded that the guidance with

respect to the access needs of disabled people was "... not complete, in some cases contradictory and on the whole not based on research".

3. In 1997 therefore the British Standards Institution, supported again by DoE/DETR, commissioned a comprehensive ergonomic study as a basis for a revised British Standard. This was developed over the ensuing four years and published in October 2001 as BS 8300:2001 'Design of buildings and their approaches to meet the needs of disabled people - Code of Practice'.
4. The guidance in the Standard covers the use of the built environment by disabled people in their capacity as residents, visitors, spectators, customers or employees, or participants in sports events, performances, and conferences. The recommendations cover the design of new buildings and may be used for assessing the accessibility and usability of existing buildings and, where practicable, as a basis for their improvement.
5. The Building Regulations review programme agreed by Ministers envisaged that the guidance on non-domestic buildings in AD M would be reconsidered in 2001, once BS 8300 had been finalised. This was welcomed by the Disability Rights Task Force in their report in December 1999. The DRTF also recommended that the scope for the application of Part M to existing buildings should be included in the review. Public support for this recommendation was tested by a preliminary consultation exercise in 2000 (see paragraph 17 below). It was not, however, envisaged that the Regulations or guidance in AD M relating solely to dwellings would be revisited on this occasion.
6. Building Regulations apply to most building work in England and Wales and are made principally to ensure the health, safety, welfare and convenience of people in and around buildings. Since 1985 they have taken the form of functional Requirements (e.g. 'Reasonable provision shall be made for disabled people to gain access to and to use the building'), accompanied by Approved Documents which set out, for the more common building situations, solutions that, if followed, will show compliance with the statutory functional Requirement. All Approved Documents emphasise, however, that the guidance is not mandatory and that there may be other ways of meeting the Requirements. This was designed to meet concerns that the pre-1985 Building Regulations, which set out highly specific 'deemed -to-satisfy' provisions, were over-specific and stifled innovation.
7. The Department for Work and Pensions (DWP), in its RIA of the implementation of Part III of the Disability Discrimination Act 1995 (DDA), noted that the Government is committed to establishing comprehensive and enforceable civil rights for disabled people. Since previous attempts at persuading service providers to make improvements voluntarily had failed, the Government has decided to proceed with the implementation of the remaining rights in Part III of the DDA to ensure extra rights more quickly for disabled people.
8. DWP also notes, however, that not all service providers will have to make adjustments, or the same scale of adjustments: the Act only requires them to do what is reasonable in all the circumstances of the case. There is no open-ended obligation on all service providers, irrespective of the nature or size of their business, to make every aspect of it accessible to disabled people whatever the cost of individual adjustments. There is thus no 'access standard' that applies in relation to the DDA.
9. The Regulations to Part III of the DDA also currently provide a time-limited exemption for features of new buildings that conform to the technical specifications - the 'Objectives', 'Design Considerations' and 'Provisions' - of AD M. This was considered necessary to protect building owners and developers working under the current arrangements from the possible double jeopardy of differing requirements from overlapping sets of regulations.
10. The Disability Rights Commission (DRC) in its Code of Practice 'Rights of Access - Facilities, Services, Goods and Premises' (2002) recognises that the guidance in Part M is

non-mandatory and advises that "...it is open to a developer to comply with Part M in other ways. Only certain features are addressed in the Approved Document. Where a building complies with Part M any alternative treatment of those features must enable any disabled person to use the building with the same degree of ease as would have been the case had those features (or aspects of those features) accorded with those set out in the Approved Document. Therefore a service provider who provides services from such a building is unlikely to have to make alterations or adjustments to those specific features if 10 years or less have passed since their construction or installation."

The risks to be addressed

1. Since:-

- a) Part M does not currently apply to alterations or changes of use of existing buildings;
- b) the guidance offered in its Approved Document is based on a twenty-four-year old British Standard; and
- c) the new BS 8300 and the DDA establish new and justifiable expectations;

there are risks inherent in the present situation. These fall into three broad classes:

- the possibility for disabled people that new buildings built to current standards will not adequately address their needs and that work to existing buildings will not secure any necessary improvements, and continuing uncertainty for them about the extent to which those needs will be met in any particular case in the future;
- the risk for businesses that work carried out on new premises now that does not exactly conform with the current guidance will not be proof against legal challenge under the provisions of the DDA, the possibility that much work that is not covered at all by the current Building Regulations guidance will be equally vulnerable to challenge, and considerable uncertainty about what level of provision might be required to meet their obligations under the DDA when dealing with existing premises; and
- the probability that the combined effect of these various uncertainties will be that building owners and developers will seek to play safe by requiring their designers to ensure that new buildings do conform exactly to the current guidance in AD M, thus stifling the innovation that the current format of building regulations was designed to support.

Business sectors affected

1. The Regulation will affect, as it does now, anybody wishing to erect, and involved in the construction of, a new building - clients, architects, surveyors, building control bodies and building contractors - but will in future also affect the same groups of people when involved in the material alteration or change of use of an existing building (data on numbers of building projects carried out annually can be found in **Appendix 3**). It is not however expected to add significantly to the burden of regulation as it forms one part only of the set of Building Regulations which are applied and controlled as a whole.
2. It is expected to provide a degree of certainty to service providers anxious about their obligations under the Disability Discrimination Act. Although the physical features of buildings to which it might be reasonable to make adjustments under the DDA are wider than those covered by Part M, none the less a service provider can be reasonably assured that compliance with Part M is likely to have encompassed the major items of work, and hence any subsequent alterations occasioned by legal challenge or arbitration by the Disability Rights Commission are likely to be minor and inexpensive.
3. Views on how Part M might be improved were sought in a preparatory study undertaken for DETR between January 2000 and January 2001. The Executive Summary of the study is attached at **Appendix 2**. Respondents included building control, construction industry and property professionals and organisations and individuals concerned with the needs of disabled people. In brief:
 4. 82% of respondents wanted Part M applied to changes of use, 15% did not express an opinion and only 3% did not want Part M applied;
 5. 77% of respondents wanted Part M applied to material alterations, 14% did not express an opinion and 9% did not want Part M applied; and
 6. 64% of respondents wanted Part M applied to extensions with no entrance at ground floor level.

Equity and fairness

7. The proposed Regulation will assist many disabled people to lead a fuller life by minimising barriers in the built environment that prevent them both enjoying the benefits that full participation in society can offer and contributing economically to it.
8. However, the recommendations of the British Standard and hence the guidance in the Approved Document which is based on it are themselves subject to a test of reasonableness by the BS steering committee - i.e. the ergonomic research established what ranges of dimensions would be required in respect of each particular activity to meet the needs of e.g. 85%, 90% and 95% of the target population, and the committee would then reach a consensus on where the balance of costs and benefits lay.
9. It will be the case, therefore, that some disabled people will not be able to benefit from the generally more accessible environment that will result. Some wheelchair users, for example, will find a ramp at a gradient as gentle as 1 in 20 impossible to negotiate without assistance. It is the case, sadly, that a law of diminishing returns will apply to most of the recommendations that are in both BS 8300 and in Part M.
10. Concern has been expressed that some businesses, and particularly small businesses seeking start-up premises, will be dissuaded by the cost of additional work that they might have to carry out, and that the application of these new Requirements and their associated guidance will cause blight to certain classes or types of buildings. Care has been taken, therefore, to ensure that the recommendations will apply only to the extent that it is reasonable for them to do in any particular case. The

recommendation that every application for Building Regulations approval should be accompanied by an Access Statement will allow the applicant to set out in detail the distinctive circumstances and the rationale for the design approach adopted, with reference to the sources of guidance relied on. This might appear on the face of it to increase the burdens on the applicant, but in the experience of some building control bodies which adopt such an approach now, if approached rationally and conscientiously it should minimise the amount of time spent debating and explaining schemes.

Nature of the proposed amendments

11. As stated in paragraph 3 this RIA focuses on the significant changes. These presume that Part M will apply in full where the following conditions are satisfied:
12. that the work involves new buildings or extensions and/or alterations to, and some changes of use of, existing buildings; and
13. in the case of existing buildings, that a suitable entrance to the premises and access route to the extension or space where the work is to be carried out is accessible or reasonably capable of being made so.
14. Exceptions to the general presumption that Part M will apply in full in existing buildings may be justified where the following conditions are satisfied:
15. that the building to or in which the work is to be carried out is listed as of architectural or historic interest; or
16. that the cost of providing a fully accessible route to the area where the work is to be carried out is disproportionate to the cost of the intended work; or
17. that the physical constraints imposed by the building make full compliance impossible or impracticable; and, in each case
18. that the application or notice made to the relevant Building Control Body is accompanied by an Access Statement (see paragraphs 0.9 to 0.16 of the Guidance section of the Approved Document) setting out the applicant's understanding of the Requirement and specific Provisions of AD M that are relevant in the circumstances, and the proposed alternative solutions and any compensatory measures.
19. Specific measures to be recommended in the revised Approved Document M include the items listed in Table 1.

TABLE 1 : Comparison between provisions of existing and proposed AD M

New Part M Requirement	Old Part M Requirement	Information	New Buildings		Existing Buildings	
			Changes	Provisions	Changes	Provisions
			Y/N	Y/N	Y/N	Y/N
		Level approach from the edge of the site				
1.1.3		Surface characteristics of access route	N	N	Y	Y

d/ e/ f 1. 1 3 g	1 . 1 1 a	Tactile warning paving	N	N	Y	Y
		Car Parking & setting down				
1. 1 8 b		Dimensions of parking bay	N	N	Y	Y
		Ramped Access				
1. 2 6 a		Ramp approach clearly signposted	Y	Y	Y	Y
1. 2 6l	1 . 1 9 f	Handrails on both sides of ramps	Y	Y	Y	Y
1. 2 6 n		Steps provided when rise more than 300mm	Y	Y	Y	Y
		Stepped Approach				
1. 3 3 c/ d	1 . 2 4 a	Tactile paving at bottom of flights	Y	Y	Y	Y
1. 3 3 h	1 . 2 4 d	Max. 12 risers or 18 for going of 350 +	Y	Y	Y	Y
1. 3 3i	1 . 2 4 b	Highlighting nosings	Y	Y	Y	Y
1. 3 3 n	1 . 2 4 h	No open rises	Y	Y	Y	Y
1. 3 3 o	1 . 2 4 j	Continuous handrail each side if 2 or more risers	N	N	Y	Y
		Accessible Entrances				
2. 7 a		Clearly signposted	Y	Y	Y	Y
2.		Threshold to be level or if	Y	Y	Y	Y

7 e 2. 7j	1 . 3 1 b	raised still accessible Internal accessible route from alternative accessible entrance	N	N	Y	Y
2. 1 3 b	1 . 3 5 a	Doors to accessible entrances Wider entrance doors for public buildings	Y	Y	Y	Y
2. 1 7 a		Manually operated entrance doors Openable against self closing device	Y	Y	Y	Y
2. 1 8		Powered entrance doors Safety features and time lapse for entry/exit	N	N	Y	Y
2. 2 0	1 . 3 7	Revolving doors not considered accessible	N	N	N	N
2. 2 0	1 . 3 8	Auxiliary side hung door if revolving door used	Y	Y	Y	Y
2. 2 1 c		Visual & audible warnings for automatic doors	N	N	Y	Y
2. 2 2 b	1 . 3 9	Revolving doors not considered accessible	N	N	N	N
2. 2 4 a/ b		Glass entrance doors Clearly defined with manifestation on glass	N	N	Y	Y
2. 2 4 c		Differentiated from glass wall by contrast strip top & sides	N	N	Y	Y
2. 2 4 d		Guarding provided where door capable of being held open	N	N	Y	Y
2. 2 9 h		Entrance lobbies Columns etc. not to project without contrasting guarding	Y	Y	Y	Y

	Entrance hall & reception area				
3.6b	Reception point is identifiable from entrance	Y	Y	Y	Y
3.6b	Approach is direct & free from obstructions	Y	Y	Y	Y
3.6e	Reception counter designed with section at lower level	Y	Y	Y	Y
	Internal doors				
3.10k	Fire doors held open by electro-magnetic device but self close when activated by: - smoke detectors linked to fire alarm - failure of power supply - hand operated switch	Y	Y	Y	Y
3.10l	Fire doors to individual rooms have "swing free" closers	Y	Y	Y	Y
3.10m	Low energy powered swing doors (infrequent use doors) are capable of being operated in manual or powered mode	Y	Y	Y	Y
	Corridors and passageways				
3.14d	Floor to be max 1:60, or if gradient 1:20 or steeper, to be a ramp	Y	N	Y	Y
3.14g	Doors opening towards corridor to be recessed (not utility doors)	Y	N	Y	Y
	Internal lobbies				
3.16f	As 2.29h	Y	Y	Y	Y
	Lifts				
3.24a/b/c	New and existing buildings have a passenger lift, or a platform lift where a passenger lift cannot be accommodated	Y	Y	Y	Y
3.24d	Existing buildings have a platform stairlift in exceptional cases	N	N	Y	Y
3.33	Lift with opposite doors for access between 2 levels only (where planning allows)	Y	Y	Y	Y
3.33	Ref. to BS 5588-8 for emergency evacuation	Y	Y	Y	Y

4l						
		Internal stairs				
3.51a	2.21a	Width requirement	N	N	Y	Y
3.51b	2.21c	Flights max. 12 risers (16 in small premises)	Y	N	Y	Y
3.51c	2.21e	Step riser between 150 & 170mm	Y	N	Y	Y
3.51d	2.21f	Going of each step at least 250mm	N	N	Y	Y
3.53b		Internal ramps Addition to steps if level change > 300mm	Y	N	Y	Y
4.12c		Lecture/conference facilities Min. number of spaces for wheelchair users				
4.12k		Wheelchair users to have access to podium	N	N	Y	Y
4.12l	3.15	Hearing enhancement systems	Y	Y	Y	Y
4.16a	3.6a	Refreshment facilities Access to all parts of the facility	Y	N	Y	Y
4.16b	3.6b	Part of counter is accessible	Y	Y	Y	Y
4.16d		Accessible threshold is located at transition between external seating area & remainder	N	N	Y	Y
4.2		Sleeping accommodation For wheelchair accessible bedrooms Pull cord emergency assistance alarm	Y	Y	Y	Y

4 q 4. 2 4r		Emergency call signal outside bedroom	Y	Y	Y	Y
4. 2 4 s	3 . 9 c	For other bedrooms Wider door openings to comply with Table 2	Y	Y	Y	Y
4. 3 6 b	3 . 1 5	Aids to communication Hearing enhancement system at service reception counters and in rooms designed for meetings, spectator events etc. and where a glazed screen is used above a counter or reception desk	Y	Y	Y	Y
5. 7 b		Wheelchair accessible unisex WCs At least one provided at each sanitary location	N	N	Y	Y
5. 1 0 d		Left & right hand transfer layouts available where more than one accessible unisex WC is provided	N	N	Y	Y
5. 7 c	4 . 1 9	WC for ambulant disabled people At least one to be provided within each range of WC compartments	N	N	Y	Y
5. 7 d		Enlarged cubicle Enlarged cubicle in range of 4 or more	Y	Y	Y	Y
5. 1 8 d		Accessible changing & shower facilities Sports facilities - unisex self contained shower & changing facilities	Y	Y	Y	Y
5. 4 a		Accessible bathrooms Lever operation to bath & basin taps	Y	Y	Y	Y
5. 2 1 d		Bath provided with transfer seat	Y	Y	Y	Y
5. 2 1 e		Outward opening door fitted with emergency release	Y	Y	Y	Y

Options

20. Four options were identified in the Partial RIA:

- a) do nothing;
- b) amend the Building Regulations and introduce amendments as proposed in the attached draft Approved Document M;
- c) publicise best practice; or
- d) make satisfaction of the Requirements of Part M conditional on compliance with the recommendations of BS 8300.

The costs and benefits of these options are discussed in detail at paragraphs 26 to 52.

