

**REGENERATION, CULTURE AND ENVIRONMENT
OVERVIEW AND SCRUTINY COMMITTEE**

14 JUNE 2018

**MEMBER'S ITEM - REQUEST FOR PROVISION OF
STAIRWELL IN NELSON TERRACE, CHATHAM**

Report from: Richard Hicks, Director of Regeneration, Culture
Environment and Transformation and Deputy Chief
Executive

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Summary

This report sets out a response to an issue, raised by Councillor Osborne, concerning the possible provision of a stairwell to help elderly and disabled residents gain access to the footway in Nelson Terrace.

1. Budget and Policy Framework

1.1 Under Medway Constitution Overview and Scrutiny rules (Chapter 4, Part 5, Paragraph 9.1) Councillor Osborne has requested that an item on this matter is included on the agenda for this meeting.

2. The Issue

2.1. Councillor Osborne has requested that an item be placed on the agenda and the reasons are set out as follows:

'I would like to table a Members item for Regeneration, Culture and Environment Overview and Scrutiny Committee for consideration for a public stairwell for Nelson Terrace for the largely elderly residents to gain on-street access.

The street itself is located above the Northern located pavement and many residents cannot gain access to the road directly. This street is overwhelmingly comprised of residents with disabilities.

I'd like the officers to undertake some costings for the stairwell and bring to committee for approval if possible'.

- 2.2 Members are advised that following discussions with Councillor Osborne, it has been established that the section of Nelson Terrace affected involves both MHS and Southern Housing Group bungalows with a grassed verge frontage. Councillor Osborne has advised that as far as he is aware the highway and the path are owned by the Council.
- 2.3 Although Councillor Osborne has referred to a number of residents being disabled, it has been established that he is seeking provision of a stairwell as opposed to a ramp.

3 Director's comments

- 3.1 The grass verge is maintained by Medway Council as part of the highway network. The path between number 1 and number 53 Nelson Terrace, however, is not within the Council's control.
- 3.2 Notwithstanding this, the Council's Highway Engineer has considered the provision of steps in this location. Unfortunately, however, it is not possible to construct steps in accordance with the requirements of the Disability Discrimination Act. This is due to the narrow width of the landing area, which is 0.5 metres below the required standard. Furthermore, the maximum depth of each step that could be achieved is 280mm. The requirement is that the each step should be between 300 and 400mm in depth. The height of the steps should be a maximum of 180mm, which can be provided, but with a below standard depth the steps are likely to appear steeper as far as the user is concerned.
- 3.3 In light of point 3.1 above, the provision of a staircase to take residents from their dwellings to carriageway level would revert to the owner of the path.

4 Risk Management

- 4.1 As Medway Council is not in a position to construct a public stairwell, there are no risks.

5. Financial and Legal Implications

- 5.1 The land issues could potentially be overcome by entering into an easement to allow access to the adopted highway, however in the light of the problems in design and construction it would not be advisable for the Council to provide this staircase so no agreements would be required.
- 5.2 If the Council were to provide substandard steps and someone were to be injured using them it is likely that the Council may be liable in any potential personal injury action.

5.3 There are no financial implications arising from this report.

6. Recommendations

6.1 It is recommended that the housing providers be made aware of this issue, in order that they may consider how accessibility between the dwellings and the privately owned path at street level may be improved.

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Appendices

None

Background Papers

None