

# STATES OF JERSEY



## **PLANNING AND BUILDING BYE-LAWS: PROVISION OF DISABLED TOILETS/CHANGING ROOMS (P.168/2009) – AMENDMENT**

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Lodged au Greffe on 24th November 2009  
by the Minister for Planning and Environment

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**STATES GREFFE**



PLANNING AND BUILDING BYE-LAWS: PROVISION OF DISABLED  
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- (a) Delete the word “commercial”;
- (b) For the words “or new” substitute the words “with a ground floor of at least 700 square metres and all new”.

MINISTER FOR PLANNING AND ENVIRONMENT

## REPORT

1. The proposition is seeking to require a 'changing places' facility (which comprises a room of some 7m<sup>2</sup> in floor area, which has a centrally placed toilet suitable for use by disabled people, a height-adjustable adult-sized changing bench and a tracking hoist system) to be provided in all large buildings which are newly erected or renovated.
2. The proposals are primarily aimed at –
  - (a) public buildings (including public toilets) which are newly erected or renovated;
  - (b) large commercial buildings, examples of which are given as shopping centres, sports/arts venues, the Bus Station, Airport and Harbour.
3. The Minister is supportive of the view that people, regardless of disability, age or gender, should be able to gain access to buildings and use the facilities provided in buildings, both as visitors and as people who live or work in them. To this end, the current building bye-laws are quite prescriptive with regard to the design of buildings to ensure that all new buildings, and those undergoing renovation, make reasonable provision for disabled persons.
4. The Minister supports the principle of this proposition, subject to a definition on the type and size of buildings this would apply to.
5. The floor area recommended for a 'changing places facility' is such that it could impose unreasonable demands in terms of 'lost' floor space if such a facility was to be required in all commercial buildings. For example, many shops have a relatively small floor area. The proposition calls for the facility to be installed in 'large buildings'. Whilst this is not defined, examples are given which include the Airport and Harbour, the Bus Station and new public toilets. It is agreed that the types of buildings given as examples would be best suited for the facility as they are generally of a suitable size and available for public use outside of normal working hours.
6. Taking into account that the buildings where this type of facility would best be located already exist, and that the bye-law requirements are not retrospective, i.e. they do not apply to existing buildings, unless they are extended or altered, it is considered that amending the bye-laws would be most unlikely to achieve the aim of the proposition, of more of these facilities in the short term.
7. It is, however, suggested that public buildings should be the focus, and this would place an onus on Property Holdings to add such a facility to all new major publicly-owned buildings when undergoing refurbishment or redevelopment.
8. A definition of the scale of proposals to which this would apply will be needed. It is suggested that this should apply to major public developments with a ground floor of at least 700m<sup>2</sup> and to new public toilets. This would avoid unreasonable demands being placed on smaller-scale schemes, and would mean that larger schemes are being asked to set aside 1% of their ground floor to provide such a facility.

**Financial and manpower implications**

9. There are financial implications in changing the building bye-laws. These will, however, be limited to officer time and legal officer time in preparing, consulting and agreeing new bye-laws, and in making revisions to printed versions. This will be met within existing resources.
10. There are financial implications for property-owners if such facilities are required. There will be implications for States-owned properties for these facilities in publicly-owned buildings. This will be seen in terms of construction costs and loss of usable and marketable floor-space.