

# STATES OF JERSEY



## **ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – TWENTY-FOURTH AMENDMENT DISABILITY INCLUSION – LISTED BUILDING ACCESSIBILITY**

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**Lodged au Greffe on 12th July 2021  
by Deputy I. Gardiner of St. Helier**

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**STATES GREFFE**

ISLAND PLAN 2021: APPROVAL (P.36/2021): TWENTY-FOURTH  
AMENDMENT

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**PAGE 2 –**

After the words “the draft Island Plan 2022-25” insert the words “except to request that the Minister for the Environment makes appropriate adjustments to ensure that consideration for disability and inclusion are more explicitly incorporated within the justification to Policy HE1, and with regard to proposals to change historic buildings.”

DEPUTY I. GARDINER OF ST. HELIER

**Note:** After this amendment, the proposition would read as follows –

**THE STATES are asked to decide whether they are of opinion –**

to approve, in accordance with Article 3(1) of the Planning and Building (Jersey) Law 2002, as amended by the Covid-19 (Island Plan) (Jersey) Regulations 2021, the draft Island Plan 2022-25, except to request that the Minister for the Environment makes appropriate adjustments to ensure that consideration for disability and inclusion are more explicitly incorporated within the justification to Policy HE1, and with regard to proposals to change historic buildings.

## REPORT

People with disabilities and additional needs may face considerable challenges as a result of building design, and listed places and buildings can be particularly challenging environments. The 2017 Disability Strategy for Jersey identified that 41% of Islanders with disabilities experience difficulty travelling around Jersey, and 39% experience difficulty moving around other places<sup>1</sup>. Access to historic buildings should be improved by giving greater consideration to the balance of heritage values versus the level of public benefit to any changes or improvement to such buildings.

The United Nations Convention on the Rights of Persons with Disabilities<sup>2</sup> promotes the identification and elimination of obstacles and barriers to accessibility, the provision of appropriate forms of assistance and support, and that people with disabilities can effectively and fully participate in political and public life on an equal basis with others. Listed buildings can present a problem in this regard, especially with the tension that exists between the preservation of architectural history and culture versus the provision of equal access. A balance must be sought between planning and accessibility, and there is an opportunity for planners to benefit from politicians providing clearer guidance on such priorities.

This amendment calls for a stronger position on enabling accessibility for all Islanders, for example, where services or civic participation takes place in listed buildings, it needs to be recognised that a building or the equipment used within the building may be a barrier to participation. It should also be noted that such environmental barriers are not limited to accessibility issues, but can also be a barrier to good governance and decision-making processes. There needs to be an obligation to look for alternative locations to provide existing services, or to ensure that reasonable adjustments can be made.

### **Financial and manpower implications**

The financial implications of this amendment would be directly linked to the costs and location of new builds. All building contractors should be aware of the new requirements which are anticipated.

### **Child Rights Impact Assessment review**

This amendment has been assessed in relation to the [Bridging Island Plan CRIA](#). The adoption of this amendment would have a positive impact with regard to Article 23 of the UNCRC (United Nations Convention on the Rights of the Child), which requires governments to do all they can to support children with disabilities and their families, to ensure that a child with a disability can live a full and decent life with dignity, and as far as possible, have independence and be able to play an active part in the community.

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<sup>1</sup> [Disability Strategy for Jersey 2017](#) p.21

<sup>2</sup> [United Nations Convention on the rights of Persons with Disabilities](#)