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Disability Access in Buildings - Part M of the building regulations

A Consumer Guide



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The Legal Case for Accessibility : Recent changes to national building regulations that affect accessibility

Recent changes in Irish legislation have had a significant impact on accessibility and Universal Design. In 2005, the Disability Act became law. Section 6 of the act specifies that Universal Design has to be written into Irish Government policy. Universal design is a strategy, which aims to make the design and composition of different environments and products accessible and understandable to, as well as usable by, everyone, to the greatest extent in the most independent and natural manner possible, without the need for adaptation or specialised design solutions.

Since the introduction of the Disability Act in 2005, Irish Building Regulations have been revised with Universal Design in mind. The technical requirements of Part M 2010 of the Building Regulations now focus on ensuring that adequate provision shall be made for all people to access and use a building, its facilities and its environs. The shift has moved away from access for people with disabilities to access for all and Universal Design (Section 0.1 of the Technical Guidance Document (TGD) that accompanies Part M states “The requirements, underpin the principle of Universal Design”).

The 2010 updated regulations revised the technical requirements of Part M as follows:

Access and Use	M1	Adequate provision shall be made for people to access and use a building, its facilities and its environs.
Application of the Part	M2	Adequate provision shall be made for people to approach and access an extension to a building.
	M3	If sanitary facilities are provided in a building that is to be extended, adequate sanitary facilities shall be provided for people within the extension.
	M4	Part M does not apply to works in connection with extensions to and material alterations of existing dwellings, provided that such works do not create a new dwelling.

In summary, the regulations came into operation on the 1st January 2012 for all buildings where a material alteration or material change of use commences or takes place. However there are a number of transitional arrangements . The technical requirements of Part M 2010 of the Building Regulations now focus on ensuring that adequate provision shall be made for all people (not just people with disabilities) to access and use a building, its facilities and its environs.



In conjunction with the publication of the amended Regulations, the Minister has also published, Building Regulations 2010 Technical Guidance Document M – Access and Use. This document:

- Provides guidance in relation to Part M of the second schedule to the Regulations
- Amended by the Building Regulations (Part M Amendment) Regulations 2010 (S.I. No 513 of 2010)
- Should be read in conjunction with the Building Regulations 1997 – 2010
- Focuses on Access and Use

The following is an overview of some of the potential challenges to FM Professionals within Industry when using TGD M 2010 to meet the Technical Requirements of the Second Schedule of the Building Regulations:

On-site setting down areas: Section 1.1.6 of TGD M requires that where there is a road leading to the building then a set down area should be provided. This is sometimes overlooked and only accessible car parking bays are provided.

On-site car parking: Where on-site car parking is provided, access at the head of the bay leading directly to a footpath is rarely shown. This is important as a person with a mobility impairment will not have to travel behind parked cars or through the main car park.

Internal lobbies: Section 1.3.3.4 indicates that any internal lobby to a wheelchair accessible area must be designed in accordance with section 1.2.5 of TGD M 2010. A number of recent designs reviewed in relation to accessibility have failed to meet this guidance.

Ambulant disabled stairwells where a lift is proposed in a new building: Section 1.3.4.1.2 of TGD M 2010 states that at least one stairwell suitable for ambulant disabled people is required even when a lift is installed in a new building. However a number of designers are still applying the guidance relating to TGD M 2000 and not providing an ambulant disabled stairwell when a lift is proposed.

Effective clear width of internal doors: Section 1.3.3.2 of TGD M (see also Diagram 10) sets out the guidance in relation to the effective clear width of doors. It is clear from a number of floor plans recently reviewed that the effective clear width of 800mm minimum has not been taken into account.

Handed layouts in unisex accessible WCs: Section 1.4.3.1 of TGD M 2010 states “Where more than one wheelchair-accessible unisex WC is provided, the layouts should be handed. In a number of recently reviewed designs only right hand transfer was catered for when there was more than one unisex accessible WC proposed.

Accessible signage: Section 1.6.3 requires that where sign directories and orientations signs are provided they must comply with the recommendations of BS8300:2009.

Facility Managers must also be aware of equality legislation and how that affects accessibility in relation to service provision. The Equal Status Act 2000-2004 is highly relevant for all service providers, as it prohibits discrimination in the provision of goods and services.



Some other reasons to consider accessibility

Legislation is not the only reason we need to consider accessibility, there are also a number of other reasons including:

- 15% of the world's population is living with a disability. There are also a large number of other people who would directly or indirectly benefit from accessibility or inclusive design (i.e. older people, families with small children under the age of five, carers, friends and relatives who accompany people with disabilities).
- Creating accessible buildings and developments with access in mind is likely to enhance the market value but also make the visitor experience more accessible to all. It allows all users to access the buildings safely, conveniently, independently and with dignity.
- Improving access to information for people with disabilities benefits all users.
- Developments designed to be inclusive are likely to have an enhanced market value.
- It is significantly more cost-effective to provide for access at the design stage, rather than by making retrospective adjustments during the construction phase or after occupation.

How can the Facility & Property Managers influence change?

Facility & Property Managers have an obligation & duty to ensure they support their business by fulfilling this requirement thus allowing accessibility/Universal Design to be incorporated into the design of buildings. Based on international best practice, the following are a number of ways Facility & Property Managers could assist business in relation to accessibility / Universal Design:

- Consider establishing an accessibility/Universal Design working group within the business. The aim of this group would be to advise on accessibility issues within the Institute;
- Establish links with relevant national and international bodies in relation to accessibility and Universal Design (National Disability Authority; Centre for Excellence in Universal Design; National Standards of Ireland, ISO etc.);

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