

sarah howard

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100 Avenue Road- CLEUD. Members' briefing.

To roger.freeman@camden.gov.uk Copy flick.rea@camden.gov.uk

Dear Cllrs. Freeman and Rea,

I hope you don't mind me sending you a note regarding the 100 Avenue Rd CLEUD application. Perhaps it will be of help to you during any discussion of this issue at members' briefing tomorrow.

Camden Council is a public body-in all its decisions it should act in accordance with the Human Rights Act and the Equality Act. These decisions include planning decisions. In the delegated report for 2017/6884/P, the officer's comments (para. 7) appear to suggest that, even though the Council is obliged to follow the Equality Act, it does not apply to factual determination of planning permissions. It is submitted that this proposition is wrong and the Council would be in breach of its statutory duties if it continues with this approach.

In summary, the question to be asked is: On the facts, is there discrimination on the grounds of disability? If yes, the Council is entitled to reject granting the certificate of lawfulness.

The officer's report did not address one of the main objections to demolition of the ramp. This is the only means of access to this part of the building for people with severe mobility issues. It follows that this is not a minor piece of development. Its scale and impact will be substantial for this particular group of people.

It is well known that the construction industry in general employs fewer people with disabilities than the national average. If the council does not take into account the fact that removal of this ramp makes it impossible for anyone with a mobility impairment to access this part of the building and therefore to have employment in the pre-demolition and demolition works, it is by its decision leaving any contractor or demolition firm with no choice, but to refuse to employ people with severe disabilities. Although the council's decisions mean that such action on the part of the contractor or demolition firm would be justified, the Council's decisions cannot be. In effect it appears to be council policy to grant the certificate of lawfulness even though the Council has been warned it will lead to discriminatory behaviour.

The importance of the ramp is not limited to the demolition. Removing it will prevent anyone for example in a wheelchair going to undertake necessary maintenance work pending demolition -for example, electrical work, security duty or rodent control. From the moment the ramp was removed, no one in a wheelchair, whatever their justification is able to inspect this section of the building. For the avoidance of doubt, this also includes planning enforcement officers from LB Camden. This is just one example of how making a planning decision without taking account of the Equality Act will be directly discriminatory to disabled employees.

I hope this will be of some use to you when considering this case.

Yours,

As ever,

Sarah Howard Gottlieb