

## Finding the balance between history and access

If your organisation is responsible for a historic building, you need to be aware of the duty to make 'reasonable adjustments' to enable disabled persons to visit the property.



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### Jamie Huard and Andrew Wheelhouse look at how to balance conservation and access in historic buildings

Faith communities are the custodians of many historic buildings and heritage sites. If you are responsible for a heritage site, you will no doubt wish for the widest possible cross-section of the general public to visit and through this to connect with your charity's mission.

However, with the government reporting that 14 million people in the UK have some sort of disability, this requires more than just an aspiration.

The Equality Act 2010 imposes a legal duty on employers and service providers (and many historic properties will be both) to make 'reasonable adjustments' to ensure that disabled persons are not disadvantaged when visiting a property. If you don't, a discrimination claim may be brought against your organisation.

The duty to make adjustments has three parts:

- changing the way things are done (for example, in churches, permitting members to receive communion at their seats rather than at an altar or communion table);
- making changes to the built environment (such as providing disabled access to a building); and
- providing auxiliary aids and/or services (for instance, providing special computer hardware for a partially-sighted employee).

### What standards do you have to follow to comply with the duty?

There are a number of guidelines and other legal materials that help explain what the duty requires.

The Equality and Human Rights Commission publishes Codes of Practice setting out the requirements of the Act in both the employment and service provision context.

On building access, Approved Document M, issued under the Building Regulations 2010, gives guidance and sets out minimum standards. It recognises the

need to conserve historic buildings. The aim is to improve accessibility where practically possible, but not so as to damage a building or prejudice its character. Where it is not possible to meet the guidance, an Access Statement may be used to explain why deviation is necessary.

The duty exists alongside the planning system and historic buildings will still possess the protection granted through the listed building regime – although this becomes an obstacle when implementing plans to make permanent reasonable adjustments. Some Christian denominations, including the Church of England and the Roman Catholic Church, have their own consent procedures and so are exempt from the need to obtain listed building consent.

### How do I work out what adjustments are 'reasonable'?

Planning is crucial in anticipating the requirements of disabled people. Asking disabled visitors and community members for their views and consulting with local and national disability groups may assist you in assessing what adjustments need to be made.

Given the irreplaceable nature of our historic buildings and the limited resources of organisations that care for them, undertaking a thorough review to assess what adjustments are reasonable is advisable, particularly where disabled access is concerned. Historic England has set out a thorough multi-stage process that enables organisations to balance available resources with the needs of disabled visitors, as well as the conservation requirements of the site.

### Practical examples: reconciling best practice with sensitive locations

Difficult decisions will often have to be made in and around heritage sites, but a balance between reasonable adjustments and conservation concerns can be found with creative thinking and careful planning. The required work may be expensive and although cost may be taken into account in considering what is 'reasonable', the best course is usually to go beyond what might be considered the 'bare minimum'.

- **Floors:** These should be free of trip hazards and smooth enough for easy wheelchair use. Levelling

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of a historic floor should be a last resort. Fragile surfaces may need to be protected against foot traffic and wheelchair use. Loose rugs that are not anchored to the floor should be avoided.

- **Ramps:** Permanent ramps, carefully designed to respect the historic integrity of the surroundings are usually preferable. Portable ramps may be acceptable, particularly in smaller properties, and temporary ramps may be used while a more permanent solution is devised.
- **Stairs:** Not every staircase requires a lift, though a number of venerable institutions, including St. Albans Cathedral and Lambeth Palace have done so in a successful manner (see Historic England’s guidance for further examples). According to current standards, handrails should be installed on both sides of existing flights of stairs to assist disabled persons who are capable of using them. Where this is not possible (e.g. long, spiral staircases) other creative solutions, such as a virtual tour, could be considered.
- **Provision of information:** signage and information boards should be placed at a height accessible to wheelchair users. Information should also be made available in alternative formats such as braille or in large text format for the visually impaired, or by means of an audio guide.

- **Landscapes and gardens:** various measures can be considered that would improve outdoor spaces. Level routes may be incorporated into uneven surfaces (such as paving slabs set into a cobbled path). Self-binding gravel can also be used to provide a firmer service. Where some areas remain physically inaccessible, interpretation panels or multimedia devices can provide an alternative means of access.

Bear in mind that the aim of the Equality Act is to provide for the disabled, so far as is reasonably practicable, the same level of access as that enjoyed by the rest of the public. While historical buildings often pose a greater challenge than most, the obligation remains. But along with it exists the opportunity to broaden the appeal of our heritage sites to reach the widest possible audience.

#### Find out more

Historic England’s Easy Access to Historic Buildings pamphlet has useful information on accessibility issues. If you are managing a historic building, there is a wealth of additional material to download from its website.

<https://historicengland.org.uk/images-books/publications/easy-access-to-historic-buildings/>