

PE1595/TT

Royal National Institute of Blind People Scotland Email of 21 January 2016

Scottish Parliament Public Petition PE01595

Petitioner: Alexander Taylor

Petition title: Moratorium on shared space schemes

Petition Summary: Calling on the Scottish Parliament to urge the Scottish Government to place a moratorium on all shared space schemes until safety concerns have been addressed.

The Royal National Institute of Blind People (RNIB) Scotland supports the petition raised by Alexander Taylor calling for a moratorium on shared space schemes until safety concerns have been addressed.

Our recent publication, Scotland Scotland: Street Charter toolkit, part of our 'Who put that there' campaign, identified shared space as one of the six main obstacles faced by blind and partially sighted people when out and about.

Shared space

As the petitioner points out 'there is no single definition of a "shared space" ... but [it] is often used as shorthand to describe a "level surface"'.

Many people do not realise what a devastating impact removing crossings, kerbs and tactile paving has on people with sight loss. Over half of the blind and partially sighted people in RNIB research reported that recent building developments in their area had made it harder for them to get about.

Concerns

Our concerns include the following:

- * The shared space concept depends on all road users being able to interact with each other through eye contact - including pedestrians and drivers - and so this concept fails to work for blind and partially sighted road users.

- * Navigating the shared space without crossing points that are accessible to blind and partially sighted road users will force them to walk in front of vehicles without knowing whether they have seen them or not. We are deeply concerned about this issue and regard accessible road crossings as an essential safety measure in any shared space design.

* Conventional kerbs provide high value tactile information to blind and partially sighted road users but in shared space schemes kerbs are removed. The absence of kerbs has direct implications on long cane users' ability to orientate themselves and for guide dogs which are trained to navigate using kerb lines.

* Shared space design can mean a road is cleared of all the physical features that blind and partially sighted people had previously used as tactile sources of information, sometimes including tactile paving. Without tactile paving, kerbs and drop paving, there can be little or no information to identify navigation points such as safe places for crossing in front of vehicles.

These and other issues combine to leave blind and partially sighted people facing a significantly worse experience of the street environment than ever before.

The Law

The duties in relation to the Equality Act and the Public Sector Equality Duty are particularly relevant to the issue of shared space. Under the provisions of the former, it is unlawful for a public authority to discriminate in the exercise of its public functions. This includes highway functions. Section 20(4) requires that, where a physical feature puts a disabled person at a substantial disadvantage in comparison to a person who is not disabled, an authority is required to take such steps as is reasonable to remove the disadvantage.

Shared space schemes undoubtedly place blind and partially sighted people at a particular disadvantage and so authorities will need to make reasonable adjustments to mitigate these effects. This was acknowledged in 'Designing Streets: A Policy Statement for Scotland' (2010) which states that:

'Shared space, and level surfaces in particular, can cause problems for some disabled people. The absence of a conventional kerb in level surfaces can pose problems for some blind or partially sighted people, who often rely on this feature to find their way around. The lack of visual cues may also pose problems for pedestrians with cognitive difficulties. It is therefore important that level surface schemes include an alternative means by which visually-impaired people can navigate. Such elements can be designed in collaboration with local people, including representatives from local disability groups and access panels.'

The Public Sector Equality Duty requires local authorities to specifically consult with blind and partially sighted people about shared space schemes and to carry out an equality impact assessment of the scheme. Where negative impacts are identified, the local authority should to consider changes to the scheme in order to eliminate discrimination and better promote equality of opportunity. Where appropriate

safeguards are not possible, a local authority should consider whether it is appropriate for the scheme to go ahead.

Our Street Charter called for consultation, identifying mitigating effects and not introducing shared space where safeguards could not be put in place.

Our work since autumn 2015 on promoting our Street Charter has found that some Scottish local authorities have adopted a voluntary moratorium on shared space.

Support for the petition

The petitioner cites 'at least 70 reports from across the UK detailing the dangers that shared space schemes can present, including fatalities and injuries suffered by vulnerable pedestrians' as well as lack of analysis of the impact of shared space road design in Scotland.

RNIB Scotland believes that the petitioner has identified safety concerns that should be investigated. We therefore back the call for a moratorium on shared space schemes until safety concerns have been addressed.

For more information please contact James Adams or Dr Catriona Burness.