

Accession by Colin Bennett to Putative Order that might be made by District Judge Greenfield on 9 September 2005

In my particulars of claim of 29 July 2005 I wrote:

“I am seeking that the following chambers in the Council's ownership be equipped with functioning induction loops (or infra-red technology) and that they be maintained”. I then list the venues which I am seeking to have made accessible to hearing-impaired people. The Defendant contends that this list needs to be “particularised”. Should District Judge Greenfield agree with that opinion, I now “particularise” my “objects of attack”.

A) Brighton Town Hall Council Chamber

I am requesting that the whole of the Council Chamber at Brighton Town Hall be provided with a functioning induction loop that embraces every part of it including the Public Gallery. I believe the Council contends that there is such an induction loop but my many requests for it to be demonstrated have met with no success. I sought to have such an induction loop fitted in time for the resumption of the Public Inquiry into the proposed Falmer Football Stadium and consulted the Planning Inspectorate in Bristol and with the Council in this regard. The Council met Mrs Barbara Bay, the Programme Officer for the Falmer Inquiry to show her that the Brighton Town Hall Council Chamber was a suitable venue for the Inquiry in regard to “Disability Access”. I offered to be present to help with the hearing aspects and this was eagerly welcomed by Mrs Bay but the Council would not agree to that.

On arriving at the resumption of the Inquiry on 2 February 2005 I was pleased to note that the loudspeakers – part of the PA systems – in the Public Gallery were working. To my knowledge this had never happened before. I noticed that as always there was no working induction loop signal in the Public Gallery. I stood up in the Public Gallery and spoke to the Inspector telling him I had a point of order to raise. He knew who I was and referred to the correspondence I had had with him and Mrs Bay. He asked me to put my point when he called me which he did in about half an hour. I then told him of the problem and he invited me to go down into the well of the Chamber and sit in one of the Members' seats where he had been told there was a mini-loop. I did as he suggested and confirmed to him that there indeed was a working mini-loop in that limited location. I believe it had been installed very very recently. I made this public assertion of the lack of an induction loop in the Public Gallery as there would be many witnesses of the Council's failure including the Planning Inspectorate staff, the Press, and members of the public. The Council staff there made no attempt to deny my assertion. I have to say that many members of the public present showed their approval of my stand.

B) Hove Town Hall Council Chamber

I campaigned for many years for a proper PA system and induction loop to be installed in Hove Town Hall Council Chamber and this was achieved a few years ago. At that time Council staff telephoned me and told me that. I asked them if it worked and they said yes. I asked them if I could check it and they reluctantly agreed. I met the installation company on site and was able to demonstrate that the induction loop did not work although the Council had signed it off. It was found that the induction loop circuit had not been connected! Eventually it was connected and the installation was deemed satisfactory. Part of this story is covered in a fairly recent issue of City News. Since that time the induction loop has often not worked despite my many complaints. I believe it has not worked at all in the year 2005. The last two occasions when I have noted its failure were on 15 June 2005 (when Councillors Elgood and Watkins did their best to get the Council to make it work) and 31 August 2005 when it failed to work for the Planning Sub-Committee meeting held there. I made a formal complaint on both occasions. I am seeking that this induction loop be properly maintained.

C) Committee Room 1 in Brighton Town Hall

I have attended many meetings in Committee Room 1 at Brighton Town hall over the last eight or

so years. In particular I attend DAAG meetings there and sometimes meeting of the Local Access Forum of which I am a member. To my knowledge there has never been an induction loop there despite my many requests for one to be shown to me and for it to work. What I am seeking here is for an induction loop to be installed and maintained together with about twelve fixed microphones (and some roving ones) around the committee table. Despite the Council's implication, Committee Room 1 is on the ground floor well below the Council Chamber on the second floor.

D) Committee Rooms 2/3 in Brighton Town Hall

These are important committee rooms where the Council often has Committee meetings. The Committee meets in CR 2 which is partly divided from CR 3 where the public sit. There is not an induction loop in any part of Committee Rooms 2/3 and I believe there is no PA system either. I last attended a meeting in CR 2/3 in June 2003 when I was unable to hear anything. Ironically, that was a meeting of the Adult Social Services Sub-Committee meeting at which a policy statement detailing the Council's policy to deaf, deafblind, and blind people was presented! I am seeking here that there be a modern PA system installed with induction loops and a sufficient number of fixed microphones around the committee table with roving microphones.

E) Committee Rooms 1, 2 at Hove Town Hall

To my knowledge there are no PA systems or induction loops in these rooms. I cannot recall attending meetings in those rooms with the exception of one on 9 February 2005 (see below). I would like to discuss these two rooms with Council staff to see what is appropriate there as they are relatively small rooms.

F) Committee Room 3 at Hove Town Hall

This is a very important committee room as it is very large and often used for important meetings such as public meetings of the local Primary Care Trust. At such meetings I have been unable to hear because there is no induction loop and I believe there is no PA system. I attend meetings there of the Local Access Forum and I am able to hear part of the hearings as I am seated at the committee table and not in the public seating area. The Council used to contend that there was an induction loop system in this room and I met Council staff in that room on 7 February 2005 for the staff to demonstrate that. This was because I was a participant in the St James' Place Public Inquiry on 9 February 2005. In the event they admitted the deficiency and so the Public Inquiry was held in Committee Room 2. The Council brought in a local PA system into that room (with no induction loop) and I was able to hear most of the proceedings due to the fact that the room is small and the Planning Inspector was understanding. I am seeking a top quality PA system for that impressive chamber with an induction loop around the whole periphery. I suggest twenty fixed microphones and two roving microphones.

G) The Great Hall at Hove Town Hall

A functioning induction loop was installed a few years ago in the Great Hall. I have attended functions there where the induction loop was working well and there is at least one fixed microphone and one trailing microphone. I do not know the situation today.

H) The Banqueting Suite at Hove Town Hall

This is a very large area which as far as I know has no functioning PA system or induction loop. A few years ago I attended an exhibition for deaf people in that Suite and we were amused to find out that there was an induction loop installed but that it did not function. We could hear a vacuum cleaner-type noise when switching to the induction loop mode on our hearing aids. We surmised that the induction loop had been installed near the electrical cable for the lighting circuit which had induced that noise. What I suggest here is that the the Council discusses with me what we need in that Suite.

I) Council Reception Desks

At present most reception desks in Council buildings sport the struck-out ear symbol indicating that there is an induction loop there. I have established that most of these alleged induction loops do not operate. I believe that most of them do exist but that they are badly placed and the staff are not aware of what they are let alone how to operate them. What I am seeking here is an investigation into the situation at all the reception desks and the necessary remedies to be made including training of staff.

J) Telephones in Council Buildings

A few years ago I won a promise from the Council that when telephone sets are replaced, the replacement would be up to modern standards. By this I mean the sets should have built-in induction loops and volume control. I will explain at the hearing why this is important. Most modern telephone sets have these refinements but the Council did not keep their promise when they replaced so many telephones. I should point out that for a decade all BT payphones have had induction loops and volume control. All mobile phones have volume control and I think most of them have induction loops. We are not talking rocket science here. I am seeking that whenever telephones are replaced that DDA-compliant telephones be installed

K) Jubilee Library, Brighton

I did not mention the new Jubilee Library in Brighton. I have been involved in this project as a member of DAAG. DAAG was given a tour of the Library before it formally opened and we pointed out that the promised induction loops were not in the meeting/conference rooms there. Things have moved forward since then and I understand that there are or soon will be infra-red systems in 11 rooms. IR systems are better here because of the proximity of so many rooms and also I believe because of the steel structure. I attended a Council Meeting in one of the rooms on 13 June 2005 and I was pleased to note that the IR system worked well although there was only one microphone. I have been promised improvements in that all 11 rooms will be suitably equipped and that there will be sufficient microphones. I am confident that this promise will be upheld, without Court action as there is so much attention being paid to the Jubilee Library including by RIBA. I have been in recent correspondence with both the President and the Chief Executive of RIBA concerning induction loops/infra-red installations.

L) Other Council Buildings

According to a Council's spokeswoman (Document 14) "The council is committed to improving disabled access in all of the 458 council-owned buildings and to promoting accessibility to the city as a whole". I don't suppose that the figure of 458 includes Council houses or beach huts. I am seeking that by 2009, 80% of all Council premises that have areas where people are addressed have induction loops/IRS. Many of that 458 figure must include schools and colleges where there are often large numbers of people, not only students, that are addressed by a speaker. There is a separate Act of Parliament called SENDA which applies to educational establishments whereas the DDA does not. If I can use SENDA under this Claim I would like to do so.

The Disability Discrimination Act, 1995 has been on the Statute Book for a decade now and it is high time that my Council obeyed it. Since this Claim and the work it has caused me would have been completely unnecessary had the Council honoured the Act I am seeking my reasonable costs including the Court fee.