



Corporate Resources

Mr Simon Wills
What Do They Know? Website

The Information Management Service
Shire Hall
Westgate Street
GLOUCESTER
GL1 2TG

Please ask for Ethan Hawkins

Telephone 01452
324000

Email managemyrequests@gloucestershire.gov.uk

Our ref: 18550952

Your ref:

Date: 22 September 2020

Dear Mr Wills,

I am writing in response to your request for information submitted on **30 July 2020**:

I write to you in relation to the recently installed barriers at the end of Holst Grove, Cheltenham with specific reference 51.885369, -2.132428 where Holst Grove connects to the shared path alongside Grovefield Way.

- 1) When was this barrier installed?**
- 2) Was an Equality Impact Assessment carried out at this location, as required by the Equality Act 2010 S.149, prior to the installation of this barrier?**
- 3) Could you please provide a copy of that Equality Impact Assessment?**
- 4) Who installed this barrier?**
- 5) Who approved this barrier?**
- 6) I note that this route joins part of a signposted and mapped cycle route in Gloucestershire. Who does this cycle route fall under the remit of?**
- 7) Were they consulted prior to installation?**
- 8) If so, what was their response?**
- 9) If they did not approve, why was this ignored/overruled/disregarded, and by whom?**
- 10) If they did approve, please provide evidence to support this.**

- 11) As this forms part of the signposted and advertised local cycle network, it is not unreasonable to expect cyclists, including disabled and adaptive cyclists, to wish to pass through here, as they are legally entitled to do.**

It is also reasonable to assume that many cyclists passing through here may not be familiar with the immediate local area, and may struggle to find an alternative route;

It is further reasonable to assume that this route will see a higher proportion of less experienced and less-able cyclists, who are less likely to be able to achieve or maintain higher paces, and, accordingly, should not be forced onto main roads and away from quieter routes like this. I remind you that dismounting is not an option for the majority of users of adaptive cycles, such as handcycles, trikes and so on, and requiring a dismount for users of such 'cycles is a contravention of EA2010 S.20(3)(4), and constitutes an act of direct discrimination under Equality Act 2010, Section 21.

- 12) What provision has been made for the passage of cyclists along this signposted cycle route, with regards to this barrier?**
- 13) What allowances and accommodations have been made for disabled cyclists?**
- 14) What provision has been made for cargobikes, tricyclists, and adaptive cycles in general?**
- 15) How would a cargobike pass through here? (Assume length of 2.15, width 89cm)**
- 16) How would a recumbent handcycle pass through here? (Assume 2.2m length, 5.5m turning radius - not an extreme example, fairly typical).**
- 17) How would an upright handcycle pass through here? (Assume 1.8m length, 5.5m turning radius - again, not extreme, fairly typical)**
- 18) How would a wheelchair with a clip-on handcycle pass through here? (assume length of 1.6m, width of 72cm at the bottom, 74cm at the cranks - Again, not extreme, fairly typical)**
- 19) The UK Government has recently embarked on a programme of encouraging the construction, provision and improvement of cycling infrastructure.
Please explain how the installation of this barrier, and the subsequent de facto banning of disabled cyclists from this route, aligns with this**

programme.

20) The Equality Act 2010, Section 20

(<https://www.legislation.gov.uk/ukpga/2010/15>) contains a number of stipulations with regards to provisions, practices, criterion and physical features. These are legal obligations, and as such, are not optional. The Equality Act 2010, Section 20 is henceforth referred to as and by "S.20".

Please clarify how the installation of these barriers aligns with S.20(3);

Please clarify how the installation of these barriers aligns with S.20(4);

Please clarify how the installation of these barriers aligns with S.20(7);

Please clarify how the installation of these barriers aligns with S.20(9);

Please clarify how the installation of these barriers aligns with S.20(10);

21) I expect immediate and urgent action to be taken in order to bring this barrier into compliance with the above legislation.

Please explain what immediate steps will be taken to restore inclusive and disabled accessibility for the above route.

Please provide the correct contact point for any further actions, including for any potential Letter(s) Before Action(s) to be addressed to.

Your request has been fully investigated but I have to inform you that this location is not on adopted highway and therefore, Gloucestershire County Council does not hold any information.

Unfortunately, it is unclear if another public authority installed a permanent or temporary barrier at this location and I am unable to advise or point you in the right direction.

You may wish to contact Gloucestershire's district councils to enquire about a barrier at this location. The contact details for them are:

Cheltenham Borough Council

Municipal Offices
Promenade
Cheltenham
Gloucestershire
GL50 9SA
Telephone: 01242 264350
Email: customerrelations@cheltenham.gov.uk

Cotswold District Council

Trinity Road
Cirencester
Gloucestershire
GL7 1PX

Telephone: 01285 623000
Email: foi@cotswold.gov.uk

Forest of Dean District Council

Council Offices
High Street
Coleford
Gloucestershire
GL16 8HG
Telephone: 01594 812487
Email: foi@fdean.gov.uk

Gloucester City Council

Business Improvement and Performance Service
Gloucester City Council
North Warehouse
The Docks
Gloucester GL1 2EP
Telephone: 01452 396712
Email: Freedom.of.Information@gloucester.gov.uk
Web: www.gloucester.gov.uk/foi

Stroud District Council

Legal Assistant
Stroud District Council
Westward Road
Ebley
Stroud
Gloucestershire, GL5 4UB
Email: foi@stroud.gov.uk

Tewkesbury Borough Council

Borough Solicitor
Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury, GL20 5TT
Telephone: 01684 295010
Website: <http://tewkesbury.gov.uk/index.aspx?articleid=2168>
Email: enquiries@tewkesbury.gov.uk

If you are unhappy with my response, you can complain or ask for a review of your request by writing to us within 40 working days of receiving this response. The full procedure is on our website at <http://www.gloucestershire.gov.uk/foi>. This should be addressed to:

Shire Hall
Westgate Street
Gloucester
GL1 2TG
managemyrequests@gloucestershire.gov.uk

We would like to hear your views on our service. If you'd like to tell us how we did, you can complete our feedback form online at <http://www.gloucestershire.gov.uk/foifedback>

I will now close your request as of this date.

Yours sincerely,

Ethan Hawkins
Information Requests Officer