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Joint Transportation Board
c/o Technical Services
Swale Borough Council
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Sunday 10 December 2006

Dear Members

Objection re: Proposed market-day traffic ban in Faversham Town Centre

I am writing to you to strongly object to this plan because of the impact it will have on disabled people.

After first reading of it in a local newspaper, I checked with Swale Council's Technical Services and was told that Blue Badge holders will *not* be exempt if the traffic ban goes ahead. I believe the town council may not realise the unfairness of this and the hardship it will cause local people with mobility problems.

I have had a Blue Badge only a few months and it has made a tremendous difference to my life, allowing me to go into town and shop for the first time in three years. But if this plan is passed, those like me who are unable to walk to and from the car parks will effectively be banned from the town three days a week. I am sure you will agree this is outrageously unfair and I believe it may also breach the Disability Discrimination Act.

One of the reasons cited is to improve pedestrians' safety. However, I have not heard of any case where a disabled person's car caused a problem. Daytime traffic into the town centre is already restricted; if, as has been claimed, people are ignoring this and using it as a throughway, surely that is a job for the police and/or traffic wardens, not a reason for a ban? An officer stationed near the entrance barrier in Court Street for a week or two examining permits and issuing tickets would very quickly deter offenders. The other main reason reported is that the council wishes to encourage a "café culture" in the town. Surely disabled people should be able to enjoy this atmosphere as freely as anyone else? Or is it meant only for the more mobile residents?

One ward councillor suggested to me that a distinction could be made between "essential" visits by badge-holders to places such as banks and buildings societies and "discretionary" general shopping, which he felt could be done on non-restricted days. I feel this is completely missing the point! Able-bodied people are not being asked to justify their visits or restrict them to "essential" areas or certain days; on the contrary, tourists are being encouraged to come and browse, window-shop, have a coffee and enjoy the "café culture". Why should the less mobile be treated differently and in effect be told to stay out of town three days a week? Traffic is already banned on Saturdays. One day a week to me is reasonable; three days are not. Is it reasonable

to tell a disabled person who discovers they need a certain item on Thursday evening that they must wait until Monday before being able to shop for it? I don't think so.

I have consulted the Disability Rights Commission, which tells me that a local authority's obligations under the Disability Discrimination Act 1995 (DDA) have changed as from 4 December this year. If I may quote from its letter:

After this date a local council is going to have duties under Part 3 in regard to public functions where it has a practice, policy or procedure which makes it:

- impossible or unreasonably difficult for disabled people to receive any benefit that is (or may be) conferred by the carrying out of a function; or
- more severe (unreasonably adverse) for disabled people to be subjected to any detriment by the carrying out of a function than for non-disabled people

Then the authority must take reasonable steps to change the practice, policy or procedure so that it no longer has that effect. The council would need to consider whether it was reasonable to change their policy and make exceptions for people with disabilities, who need the adjustment for reasons relating to their disability.

I feel that both tests apply in this case. On days traffic is banned, it would be impossible or unreasonably difficult for disabled people to enjoy the café culture in the town or visit the shops or market as able-bodied people can; the ban would be more severe (unreasonably adverse) on disabled people who cannot walk to and from the car parks (meaning they could not come into town at all) than on the able who can. I understand that also from 4 December the new Disability Equality Duty comes into effect, which requires local authorities to take disabled people's needs into account at every stage of planning.

Please think how you would feel if told your presence and custom was not welcome in your own town three days a week simply because you can't walk far. . .

Please, do think of the consequences it would have for some of us and the hardship it would cause if this scheme goes ahead. Please take account of the needs of disabled people and make Blue Badge holders exempt if you intend to go on with it.

Yours truly,



Jackie Reynolds