
Shared Space: how safe is it?

Summary

The national Disabled Members Standing Committee discussed the issues that some people have in using shared space. This includes, for example, some disabled people and young and older people. It was noted that some institutions have introduced shared space on campus. The Committee are interested to know your experience with navigating shared space or whether it has been introduced on your campus. Please send any information to Helen Carr hcarr@ucu.org.uk

The Department for Transport defines shared space as “*a street or place designed to improve pedestrian movement and comfort by reducing the dominance of motor vehicles and enabling all users to share the space rather than follow the clearly defined rules implied by more conventional designs*”.

The basic premise is that when vehicle users have to share space with pedestrians, they will naturally drive more slowly and cautiously, so reducing accidents. This allows pedestrians, cyclists and vehicle users to have equal ownership of the street and to benefit from an improved experience. In contrast to conventional traffic control systems where pedestrian safety is enforced by designated crossings, shared space is based on a courtesy system. Shared space designs aim to minimise street clutter such as traffic lights, signage, kerbs, road markings and railings to allow vehicle users to more easily read the road. Often features such as seating and planting are used to subtly indicate the best vehicular route.

Shared space causes huge issues for visually and hearing impaired people but there has been positive feedback from people who use wheelchairs.

The RNIB campaign materials are attached, which you can adapt for your own use.

A House of Lords report has called for a moratorium on any new 'frightening and intimidating' shared space schemes [*Accidents by Design: The Holmes Report into Shared Space July 2015*](#).

Key recommendations:

- Immediate moratorium on shared space schemes while impact assessments are conducted.
- Urgent need for accessibility audits of all shared space schemes and a central record of accident data including "courtesy crossings", which must be defined and monitored.
- Department for Transport must update their guidance so that Local Authorities better understand their responsibilities under the Equalities Act.

After finding 'overwhelmingly negative' experiences from the public, the report's author, paralympic swimming champion Chris Holmes has called for an immediate ban on new schemes.

The study claims that of the 523 drivers, cyclists and pedestrians polled by researchers, the overwhelmingly majority were opposed to the schemes with 63 per cent of people rating their experience as 'poor'. The report also noted a significant under-reporting of accidents in shared spaces.

The report said: 'This survey clearly shows just how misguided a planning approach that aims to improve pedestrian movement and comfort and "enable all users to share space" is when users actually report anxiety, fear and in over a third of cases a refusal to use the space at all.

'People constantly referred to finding the schemes 'frightening', 'intimidating', 'dangerous' and 'never feeling safe'. The majority of respondents were pedestrians but we had an extraordinarily broad range of users from pedestrians, with and without disabilities, to drivers, including professional drivers, and cyclists.

Shared space schemes remove regulations and features such as kerbs, road surface markings, traffic signs and controlled crossings. The schemes will often see cars and bicycles share the same space as pedestrians.

The report concluded there was an urgent need for accessibility audits for all shared space schemes and a central record of accident data including 'courtesy crossings' which must be defined and monitored.

Pedestrians felt strongly in many areas that drivers did not recognise that an area was a shared space and were not slowing down to allow people to cross.

Shared Space: friend or foe? [Report extract]

Pedestrian: *'I didn't feel safe for/with children - there were no clear boundaries for them. Road traffic was still moving at 20mph or more, I had to make sure we held their hands the whole time. Motor traffic often failed to give way at "informal crossings", and lack of pedestrian priority crossings meant you had to basically take your chances or wait a long time to cross the "road".'*

Cyclist: *'Exhibition Road (South Kensington, London) still feels largely dominated by motor vehicles; cyclists are still restricted to pavements. By being a junction, Paul Street feels unsafe. I can appreciate that the design is made for users to engage with their surroundings and therefore be safer, but as a cyclist the shared space has made me particularly anxious because of the danger of collision with cars and the lack of spatial awareness among pedestrians.'*

Blind pedestrian: *'I am blind. Not knowing the difference between the place where I'm safe and the bit where I can be killed is scary!'*

Pedestrian: *'I found when a driver did stop for me to cross a lot of times the driver coming in the opposite direction did not stop and this meant standing in the middle of the road with nowhere to go, and sometimes being shouted at for being in the road. I therefore found it very dangerous and not a nice experience!'*

Driver: *'If as a driver you stop to let pedestrians across you are often abused by other drivers. I stop, but the cars coming the other way don't, so pedestrians don't know whether to cross or not or they cross and then have to run. Elderly and disabled are too scared to cross as they can't move fast enough.'*

Part of the issue is that the basic premise of shared space has been lost in translation crossing from the Netherlands, where it was originally developed. In the Netherlands, shared space is applied to roads where traffic is deliberately

phased out, similar to what we would call 'home zones' in the UK. Home zones are residential streets which originally had low volumes of traffic, where shared space further reduces the dominance and speed of traffic. Shared space is not applied to roads with high traffic volumes, as it has been in the UK. Instead, on major roads in the Netherlands, space for pedestrians, cyclists and cars is clearly delineated and separated. A good example of this approach is North Street in Brighton which has the feel of a pedestrianised zone.

The House of Lords had a debate in October 2015 (below) where it was stated that the Government and the Chartered Institute Highways and Transportation are working on new guidance.

<http://www.theyworkforyou.com/lords/?id=2015-10-15a.415.0>

The RNIB campaign

The RNIB has a campaign against the use of shared space. The campaign materials are reproduced below:

Who put that there!

New Developments and Shared Space

We all want to make our streets safer for pedestrians, but 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 our research reported that recent building developments in their area had made it harder for them to get about [1].

- Anne's experience – "We don't have shared space in my area yet, but the council looked at introducing one. To be prepared, I went to look at one in a nearby town. My guide dog, Yaris, had no idea what to do. He normally gives me some direction, but he needs markings like kerbs so he knows which bit is the road and which bit is the pavement. When we cross a road he needs the curb to govern where the crossing point is. You can't direct your dog, there are no landmarks, it's just a massive square. You can't judge where you are. He was so confused he just stopped moving. Shared space seems to work on the drivers and pedestrians making eye contact and signalling who will make the first move. But I can't make eye contact. Even if drivers are really attentive, it makes me very vulnerable. I know many of my friends who are blind or partially sighted say these spaces are no-go areas for them."

The Law

There is a significant amount of legislation, regulations and guidance which are relevant to blind and partially sighted people's access to the street environment.

Keeping the streets clear

Under the Highways Act 1980 it is the duty of the highway authority to assert and protect the rights of the public to use and enjoy the highway (the term 'highway' in this instance meaning pavements). They also have a duty to prevent obstruction to the highway (again this means keeping streets clear!).

It is a criminal offence under the Highways Act (and the Town and Police Clauses Act) to wilfully obstruct free passage along the highway and to deposit anything on the highway which causes an interruption to, or obstruction of, the highway.

So streets should be kept clear of obstacles and clutter, enabling people to walk along them without any problems.

Providing accessible information to all

The Equality Act 2010 makes it unlawful for public authorities, including highways authorities, to discriminate in the exercise of a public function. They also have a duty to make reasonable adjustments including changing practices, policies and procedures which have a discriminating effect and to take reasonable steps to enable disabled people to avoid substantial disadvantages caused by physical features. The Act also requires local authorities to provide information that is accessible for everyone.

Inclusive Mobility

The Department of Transport have published "Inclusive Mobility - A Guide to Best Practice on Access to the Pedestrian and Transport Infrastructure". The aim of this guidance was to provide advice on best practice to assist professionals working in this field and enable them to meet their responsibilities under the Disability Discrimination Act 1995 (DDA) (now the Equality Act - see above). There is much in it for Highways Authorities to note. For example:

"Apart from roadworks and scaffolding, there are many other, sometimes temporary, obstructions that can cause problems for disabled people, particularly those with visual impairments. **A-frame advertisement boards placed outside shops**, ladders, overhanging tree branches, **dustbins, vehicles and bicycles parked on pavements** are all potential hazards.

Wherever feasible, obstructions of this kind **should be kept to a minimum** and should not encroach on the clear space (horizontal and vertical) needed to provide safe passage for pedestrians **[emphasis added]**."

Under the Equality Act Public Sector Equality Duty (PSED), public authorities, including highways authorities are also required to have due regard to the need to eliminate discrimination under the Equality Act and to achieve equality of opportunity between disabled and non-disabled people. This means anyone responsible for looking after the street environment has a responsibility to eliminate and tackle problems that make a highway inaccessible for disabled people. It is simply not an option to leave things as they are.

The duties in relation to the Equality Act and the Public Sector Equality Duty are particularly relevant to the issue of shared space. As noted above, under the provisions of the Equality Act 2010, it is unlawful for a public authority to discriminate in the exercise of its public functions. This includes highways 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 those with a sight loss at a particular disadvantage and so authorities will need to make reasonable adjustments to mitigate against these effects. Government Guidance, in the form of the Manual for Streets states that;

“7.2.10 However, shared surfaces can cause problems for some disabled people. People with cognitive difficulties may find the environment difficult to interpret. In addition, the absence of a conventional kerb poses problems for blind or partially-sighted people, who often rely on this feature to find their way around. It is therefore important that shared surface schemes include an alternative means for visually-impaired people to navigate by.”

The requirement of the Public Sector Equality Duty will require 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 will need 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.

What we think should happen

Local authorities should explore the following options, with blind and partially sighted people:

- Review their policy in relation to Shared Space. A postcode lottery approach to policy and decision making by those who have an impact on the design and enforcement of the street environment is having a

negative impact on blind and partially sighted people. Local authority staff, residents and businesses would all benefit from more clarity, and policy statements would help inform decision making at a local level. It would also help to address some of the inequality due to local authorities taking differing approaches to some of the most common problems.

- Work with blind and partially sighted people to assess existing shared spaces on grounds of safety. Where safety issues are identified, mitigating measures need to be taken including the reintroduction of kerbs and crossings.
- In accordance with their PSED, involve and consult with blind and partially sighted people when new shared space schemes are put forward and make any necessary changes to the schemes. If this is not possible, RNIB would not support the introduction of shared space developments.

References

[1] Who put that there! – RNIB Campaign Report, February 2015

Template letter for Local Authority about shared space

[Insert your address]

[Insert your Local Councillor's name and the address of the Local Authority]

[insert the date]

Dear Sir/Madam, [better to address your letter to a named individual if you can]

Re: Shared Space

I am a blind/partially sighted person [delete as appropriate] and a Guide Dog/long cane user [delete as appropriate].

I am working in partnership with [list any other groups you are working with]. If you are not the correct person to address these issues, please could you pass this on to your appropriate colleague.

I have become aware that a new shared space scheme is to be introduced / has been introduced [delete as appropriate and name area or streets that the crossing is on].

I would like to outline a number of concerns blind and partially sighted people have/may have [delete as appropriate] with the introduction of the scheme.

- Shared surfaces rely on eye contact between pedestrians and drivers - so this completely fails to take into account the needs of blind and partially sighted people.
- Navigating the street without designated crossing points will mean depending on drivers to notice and stop when a blind or partially sighted person wants to cross. I am seriously worried about safety issues and want to see safe crossings included in street design.
- Kerbs are a very important part of street layout for blind and partially sighted people, yet shared surface schemes mean kerbs are removed. The kerb is vital for street orientation for long cane users, whilst guide dogs are trained to navigate by them. Removal of the kerb risks putting people in danger as it is difficult, to work out where the safe area stops and the roadway for vehicles begins.
- In order to create a naked street, a road can be wiped clear of all markings, signs and street furniture, sometimes including tactile paving. Tactile paving is vital to street navigation and informs people about risks and safe places to cross the road. Without it, yet another aid to mobility and safety for blind and partially sighted people is lost.
- A fear factor will cause another barrier to blind and partially sighted people. Without a defined safe space away from traffic, blind and partially sighted people will lose confidence. Blind and partially sighted people will stop using these streets and they will become "no-go" areas.

Concerns over shared surfaces are held not just by myself and blind and partially sighted organisations, but come from many different user groups. There are worries about children's safety, as basic rules of crossing the road cannot be used. People with learning disabilities may also find it difficult to understand how to cross the road safely. Older people may find it difficult to see or hear traffic; they may have mobility problems and may not be confident in getting traffic to stop.

I would like to meet with you and discuss in depth the concerns I have about the planned/new [delete as appropriate] shared space scheme. I would be interested to see how the local authority plans to include/has included [delete as appropriate] local people in the planning and development of the scheme and considered any equality issues that have been/will be [delete as appropriate] raised.

Yours sincerely,