NDA submission for the Luas Finglas Preferred Route Public Consultation

# Introduction

The National Disability Authority (NDA), as the independent statutory body provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities. We have a role to assist the Minister for Children, Disability, Equality Integration and Youth in the co-ordination of disability policy. We work through our [Centre for Excellence in Universal Design](http://universaldesign.ie/) (CEUD) to promote the universal design of the built environment, products, services and information and communication technologies, so that they can be easily accessed, understood and used by everyone, including persons with disabilities.

The NDA welcomes the opportunity to make a submission to the consultation on Luas Finglas scheme which is being managed by Transport Infrastructure Ireland (TII).

TII are inviting submissions to provide feedback on the following areas:

* the Emerging Preferred Route (EPR) for the proposed extension
* the location of the proposed new stops
* the proposed cycling and pedestrian facilities

As stated in the NDA’s previous submission to the Luas Finglas scheme, the NDA strongly advises TII that a universal design approach needs to be adopted and implemented to choose and design a route that is easy to access, easy to understand and easy to use by everyone regardless of age, size, ability or disability. This would involve implementing universal design in the development and implementation of each step of the Luas Finglas scheme. This will contribute to developing the scheme as part of a wider approach to a sustainable urban landscape and community.

The NDA’s submission will incorporate important points that are necessary considerations for deciding the preferred route and crucial at the planning stage of Luas Finglas scheme. The main points of our submission are summarised below:

# Delivering Universally Designed Luas transport services

The NDA advises that the Luas Finglas scheme should consider planning approaches that ensure that each element regarding the development and delivery of this programme includes accessibility as a key component to support all users to access transport services so they can participate in mainstream society. This includes persons with disabilities, older people and people of any size or ability. The NDA recognises the accessibility features of the current Luas design and services as well as the ongoing improvement projects to on board announcements and Luas stops. However, no further details are provided as to how the Luas Finglas has ensured that the proposed route, new stops, park & ride facilities and the new pedestrian and cycling facilities will meet the needs of persons with disabilities or will enable more persons with disabilities and older people to access public transport services.

The **Accessibility of Public Transport for People with Disabilities** report produced by theJoint Committee on Transport, Tourism and Sport in November 2018 recommended that public transport services should be universally designed so that they are easy to access, easy to understand and easy to use by everyone regardless of age, size, ability or disability.

The NDA advises that TII adopt and implement this universal design approach for the Luas Finglas scheme and for every aspect of the scheme as set out in this submission, which is summarised as follows:

**Information and consultation**

* Developing and publishing a strategy on the Luas Finglas website detailing how TII will ensure that the Luas Finglas and any future impact assessments for this proposed scheme will **examine the potential effects this scheme could have on persons with disabilities and older people**. This strategy should also have a clear commitment from TII that it will ensure that every element of the proposed Luas Finglas scheme will meet the needs of persons with disabilities and older people.
* Having a clear commitment in the Luas Finglas scheme that TII will **have a sustained engagement process with a diverse range of users**. While the NDA appreciates that TII has good engagement with the Luas Disability User Group, we advise that this sustained, project-specific, engagement process could be achieved by establishing and consulting with an advisory committee that includes, persons with different disabilities, older people, architects, urban planners, IT professionals, representatives from the local authorities, key government Departments and the NDA. This diverse level of expertise will help TII to address the different impacts that the proposed Luas Finglas scheme will have on the lived experience of all users of the built environment, public spaces, other transport services such as the bus and rail services, etc.
* The NDA also suggests that the Luas Finglas scheme should contain an action and key deliverables for a **cross departmental approach** between TII, the NTA, the NDA, the public transport service providers, relevant Government Departments and related agencies to ensure the effective development and implementation of the proposed Luas Finglas scheme so that it will provide integrated universally designed public transport services.
* The NDA advises that at this stage of Luas Finglas the impact of the project for persons with disabilities should be teased out through the approaches advised below:
* Conducting and presenting a Disability Impact Assessment of the proposed plan at this point in the development process. A Disability Impact Assessment is an obligatory requirement of all substantive proposals requiring Government approval as stipulated in [The Cabinet Handbook](https://assets.gov.ie/6813/2a580791a7b24decb97a550539a0faff.pdf)[[1]](#footnote-1) when there is:
* a change in policy;
* the introduction, abolition or significant change in an existing scheme; or
* a decision which impacts on the public at large, or
* on a significant subset of that population.

The requirement for such an assessment for a scheme of the scale and significance of Luas Finglas is therefore evident. The Department of Justice provides Guidelines on **How to Conduct a Disability Impact Assessment.[[2]](#footnote-2)** We are concerned that we have yet to see a Disability Impact Assessment on the Luas Finglas scheme. We request that the Disability Impact Assessment on the Luas Finglas scheme is promptly sent to the NDA and made publically available.

* **User testing** will be an important part of this sustained engagement process. Impact assessments for this scheme should have user testing as a key criterion to facilitate the development and progression of this scheme. The NDA suggests that TII and the proposed advisory committee could develop and pilot an audit tool to assess the capacity of the proposed scheme to provide integrated universally designed public transport services that are easy to access, easy to understand and easy to use by everyone regardless of age, size ability and disability. The NDA is happy to advise TII on developing and piloting this audit tool

**Route considerations**

* As part of the sustained engagement process the NDA advises that TII uses **a definition of accessibility** that details how every element of the proposed Luas Finglas scheme will be universally designed so that it is easy to access, easy to understand and easy to use by everyone regardless of age, size ability and disability. This definition could also be applied to future assessments that will be carried out for the proposed Luas Finglas scheme and for TII’s existing and future schemes

**Infrastructure considerations**

* **Accessible services** are one of the key criteria in the provision of universally designed services. All personnel involved in the planning and design of this scheme and all staff who will be providing public transport services on Luas Finglas should be trained to provide services and supports to persons with different disabilities and older people. Every aspect of the service including: the design of train stations; the location of train stations; the design and location of the proposed Park and Ride facility; the pedestrian pathways; pedestrian crossings; way finders; tactile services; interchanges; the built environment; the number of transfers a person may need to make in one journey; and the exterior and interior design of the trains, need to be easy to access, easy to understand and easy to use for everyone regardless of age, size, ability or disability.
* The design and procurement of certain products and services must comply with **EU Directive 2019/882 on the accessibility requirements for products and services.** This Directive came into force in April 2019 and is due to be transposed in Ireland by June 2022. We also recommend that you implement the **European standard I.S. EN 17161:2019 ‘Design for All - Accessibility following a Design for All approach in products, goods and services - Extending the range of users’** when designing and procuring products, goods and services. This standard enables an organisation to apply a Universal Design approach for accessibility and meet its statutory and regulatory requirements in terms of accessibility of its products, goods and services
* The NDA welcomes a ‘whole journey’ approach being considered as part of the Luas Finglas scheme. The NDA would, however, encourage specific consultation with persons with disabilities and older people about the proposal to build segregated pedestrian and cycle paths along the Luas Finglas route. We appreciate this proposal is in the early phases but at this stage the NDA would like to encourage TII to consider, if it hasn’t already, a wider range of user types and cycle types from the [Inclusive Cycling Guide](https://wheelsforwellbeing.org.uk/wp-content/uploads/2019/06/FINAL.pdf)[[3]](#footnote-3). Consideration should be given to cyclists who are disabled as well as non-disabled users who use non-standard cycles to ensure that the cycle way and any crossings are suitable for them. The NDA would also encourage TII to make use of the universally designed walkability audit tool[[4]](#footnote-4) to assess current infrastructure along the proposed route. This would be a useful approach to gain involvement from the community as inclusively as possible and would help to inform the design and build of new walking and cycling infrastructure along the route.
* The NDA also recommends that TII be mindful ofthe concept **Transport Orientated Development (TOD)** that aligns closely to universal design**.** Transport Orientated Development offers many benefits, namely improved mobility and environmental conditions, more efficient and sustainable urban development, and improved viability for transport companies.[[5]](#footnote-5) Transport Orientated development incorporates several key concepts to ensure successful, sustainable and efficient development; mixed-use/mixed-income development and communities, moderate to higher housing density, short distances to transport nodes, high quality and frequency of transport service, the discouragement of car-usage/ownership, and integrating land-use and transport planning. The advisory committee recommended earlier in the feedback may help TII in establishing and maintaining the links necessary with local authorities, planners, engineers, and relevant government Departments to facilitate development and land use in a way which makes the best use of Luas Finglas and other TII projects.

**Information considerations**

* **Accessible information** is one of the key criteria for universally designed services that should be incorporated into the proposed audit tool and for existing and future TII schemes. All information (written, spoken, signed and digital) delivered by a public transport services provider (which includes consultation information), should be universally designed. The NDA suggests thattheTII should usethe **Customer Communications Toolkit for the Public Service - A Universal Design Approach** which will help to produce universally designed written, verbal and digital communications that can be easily accessed, understood and used by everyone. Websites must comply with the accessibility criteria laid out in the [European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020](http://www.irishstatutebook.ie/eli/2020/si/358/made/en/print) which came into force on 23 September 2020. Accessible information also includes audio visual announcements on public transport, information received from self-service terminals, processes for requesting information and making complaints.

**Monitoring and reporting**

* The NDAs **Code of Practice on the Accessibility of Public Services and Information provided by Public Bodies** outlines the statutory obligations public bodies have in providing accessible services and information under section 26, 27 and 28 of the **Disability Act 2005**. These sections of the Disability Act 2005, incorporate the core elements of an integrated universally designed public transport service as mentioned previously. The NDA recommends that the Luas Finglas scheme use this Code of Practice to deliver an integrated universally designed public transport service. The NDA, has a statutory role to **monitor the implementation of this Code of Practice** and report our findings to the Minister.

# Rationale for adopting the Universal Design approach

Ireland’s population is changing. In the 2016 Census, the overall number of people with disabilities has increased, comprising 13.5% of the total population compared to 13% in 2011. There are now 643,131 people with a disability living in Ireland.[[6]](#footnote-6) People are living longer, as can be seen in the changes in the population aged over 65 which has increased by 19.1% since 2011. Ireland’s population is also growing older. According to the 2016 Census figures the number of people aged 66 has increased to 637,567 people (13.4% of the population).[[7]](#footnote-7)

The importance of integrated universally designed public transport services that include the built environment and information and communication technologies is underpinned by **Article 9 of the UN Convention on the Rights of Persons**. Ireland ratified the UN Convention in 2018. Article 9 states that in order for persons with disabilities to live independently and fully participate in all aspects of life, they need to have access not only to accessible transportation but also to infrastructure, the built environment, information and communication processes and technologies and to other public facilities and services.

Integrated universally designed public transport systems are also perceived as being integral to the development and maintenance of inclusive and sustainable communities. The [**2030 Agenda for Sustainable Development**,](https://sustainabledevelopment.un.org/post2015/transformingourworld) adopted by all United Nations Member States in 2015 identifies integrated universally designed transport systems as core elements in creating healthy, sustainable and inclusive cities and communities.[[8]](#footnote-8)

Section 6.3 of the **National Planning Framework for Scheme Ireland 2040** also identifies universally designed transport services, in addition to housing, education, and health services, as key areas that need to be developed to facilitate the development and progression of diverse and inclusive communities. [[9]](#footnote-9)

**The Transport Strategy for the Greater Dublin Area 2016 –2035** states that the provision of accessible public transport services is a key objective that will contribute to the economic, social and cultural progress of the Greater Dublin Area by providing for the efficient, effective and sustainable movement of people and goods.

The importance of transport in the lives of persons with disabilities and the necessity for transport services that are accessible to everyone is also highlighted in **The Comprehensive Employment Strategy 2015 – 2024**; **National Disability Inclusion Strategy 2017 – 2021**.

# Conclusion

Transport plays a crucial role in empowering people with disabilities to participate in everyday life and the activities of their communities. Approximately one in ten people with disabilities said that inadequate/inaccessible transport systems prevented them from participating in social events.[[10]](#footnote-10) About one in six people with a disability are not in work who would be interested in a job, cite transport or parking as an issue for them. Those with sight, mobility or intellectual disabilities are most likely to cite transport as an issue for employment.[[11]](#footnote-11)

In this context therefore, the NDA advises that TII should adopt and implement a Universal Design approach when deciding the preferred route for Luas Finglas and continue this approach throughout the entire scheme.

The NDA is happy to meet with the TII to discuss this submission. The NDA is looking forward to continuing to work with TII to develop and implement integrated universally designed public transport services.

1. <https://www.gov.ie/en/publication/05c2e2-cabinet-handbook/> [↑](#footnote-ref-1)
2. <https://www.justice.ie/en/JELR/20120305%20DIA%20Guidelines.pdf/Files/20120305%20DIA%20Guidelines.pdf> [↑](#footnote-ref-2)
3. <https://wheelsforwellbeing.org.uk/wp-content/uploads/2020/12/FC_WfW-Inclusive-Guide_FINAL_V03.pdf> [↑](#footnote-ref-3)
4. [Universal Design Walkability Audit (nationaltransport.ie)](https://www.nationaltransport.ie/wp-content/uploads/2021/01/Universal-Design-Walkability-Audit-Tool-V1.pdf) [↑](#footnote-ref-4)
5. <http://files.nesc.ie/nesc_reports/en/148_TOD.pdf> [↑](#footnote-ref-5)
6. Census 2016 [↑](#footnote-ref-6)
7. Census 2016 [↑](#footnote-ref-7)
8. [The 2030 Agenda for Sustainable Development,](https://sustainabledevelopment.un.org/post2015/transformingourworld) adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries - developed and developing - in a global partnership. [↑](#footnote-ref-8)
9. Scheme 2040 is the Government’s long-term strategy to make Ireland a better country for all of its people by investing in its public infrastructure. [↑](#footnote-ref-9)
10. National Disability Survey (2006) Vol. 2, Table 7.30 [↑](#footnote-ref-10)
11. National Disability Survey (2006) Vol. 2, Table 7.30 [↑](#footnote-ref-11)