



**Brighton & Hove**

**STRATEGY & GOVERNANCE**

Brighton & Hove City Council  
PO Box 2500  
King's House  
Grand Avenue  
Hove BN3 2SR

Mr C Bennett  
Top flat  
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Hove BN3 1FL

Date: 20<sup>th</sup> December 2005  
Our Ref: LW/26230  
Your Ref:  
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Dear Mr Bennett,

**Claim No: 5BN 03502 – Proposals for Settlement**

In this letter I want to set out a possible settlement of this matter. I will be writing a separate letter in the next few days setting out proposed Directions.

You will be aware that the City Council denies that we are in breach of our duties under the Disability Discrimination Act as set out in your Amended Particulars of Claim. In addition, the Council does not agree that you should be entitled to re-amend your claim (which you re-served on us on 12 December 2005). If the Court were to give you permission to re-amend your claim, the Council will have to make further investigations and file an amended Defence. Your Re-amended claim increases the complexity of this case. We believe that it would no longer be considered a small claim and should be moved to another track. This will have consequences for the time and money that both parties will expend upon the case. It could have cost consequences if we were to win in that we may feel we would have to recover from you some of the Council Taxpayers' costs spent on the matter.

An alternative would be to set aside arguments about the past and concentrate on what we can both achieve in the future to make Council Meetings more accessible.

The City Council has functioning induction loops in the following locations:-

**Hove Town Hall**

Council Chamber and Public Gallery

Committee Rooms 1 and 3

## Brighton Town Hall

Council Chamber and Public Gallery

Committee Rooms 1, 2 and 3

A new induction loop was installed in Committee Room 2 at Hove Town Hall last week.

We appreciate that you are mistrustful of the Council in this regard and so we propose to instruct an independent consultant to prepare a report. We will bear the costs.

We will ask them to inspect the rooms in question and report:-

1. Whether or not they contain fully functioning induction loops which are properly fitted?
2. What systems of maintenance should the City Council use?


In addition we would propose to review our policy and procedures as concerns the accessibility of public meetings at the premises listed above. This will include:-

1. What training the Council should provide to staff who manage the public buildings and public meetings on disability awareness – including deaf awareness with reference to members of the public or Councillors or Council staff attending public meetings?
2. Whether any guidance should be given for the conduct of all public meetings so a reference is made at the beginning as to whether or not appropriate arrangements have been made?
3. Drafting a policy which will cover the maintenance and servicing of the induction loops in the rooms listed above and the portable units kept in both Hove and Brighton Town Halls. This will include what records should be kept. This will be informed by the report of the independent consultants.

This will obviously take a reasonable period of time to ensure it is done properly. In your letter of 10 December 2005 you have referred to the impending holidays as “dead” time. We believe it would be realistic for the independent report completed by the end of February 2006 and the policy review to be completed by September 2006. On that basis we would ask you to agree to a stay of the proceedings being stayed until 30 September 2006. For that reason I enclose two copies of the letter and a SAE so, if you agree to the stay you can return this letter – signed – to me so I can forward it to the court.

We hope that if the report and the review show that, at the time of their completion, we have both worked together to ensure that the Council is compliant with the Disability Discrimination Act, you will withdraw your claim. Whilst the matter is stayed no work will continue on the claim. Rather we would propose energies will be channelled into ensuring the Council is complying with the Act.

Yours sincerely,

  
Liz Woodley  
Senior Lawyer  
for Head of Law

I agree, having considered the offer made above that this claim be stayed until 30 September 2006

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