





Image courtesy www.johnbirdsall.co.uk

4.11 The premises regulations also state that the following are to be considered as auxiliary aids or services and not as physical features:

- replacement or provision of signs or notices
- replacement of taps or door handles
- replacement, provision, or adaptation of door bells, or entry systems
- changes to the colour of any surfaces (such as, for example, a wall or a door).

Commonhold common parts

4.12 Commonhold legislation defines common parts as every part of the commonhold which is not for the time being a commonhold unit in accordance with the commonhold community statement. This might, for example, be as simple as stairs and hallways or as complex as gardens, garaging, and gyms.

4.13 The commonhold community statement must state that ‘the commonhold association must not make any alterations to the common parts or cause or permit the common parts to be altered unless the proposed alteration is approved by ordinary resolution’. Ordinary resolutions are passed by a simple majority of unit-holders.

4.14 Therefore a disabled unit-holder who needs an adjustment to the common parts of a commonhold would be able to put this to a vote of the other commonhold-unit holders. If there is a simple majority then the disabled person would be able to make the adjustment. If the majority was against the alteration being made then the disabled unit-holder would be unable to make the alteration.

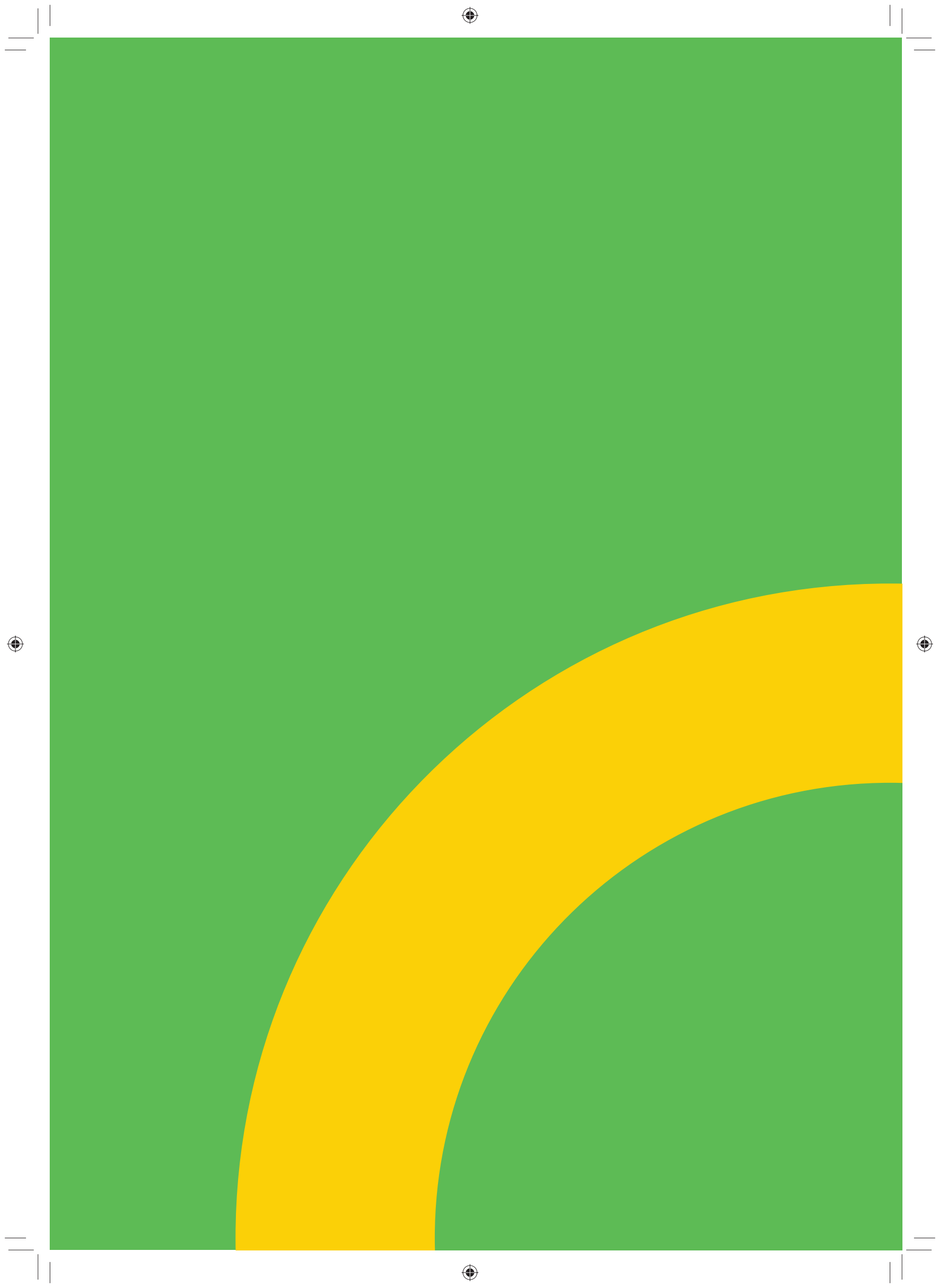
4.15 However, in such situations, it would be advisable for the commonhold association to consider whether the reason for refusing the alteration to the common parts is less favourable treatment for a disability-related reason and, if so, whether it could be justified.

Factsheet 4

The Equality and Human Rights Commission (EHRC) has replaced the Disability Rights Commission (DRC). The EHRC will have ongoing responsibility for codes of practice previously issued by the DRC.

For details of services provided by the EHRC see their website at:

www.equalityhumanrights.com



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ISBN 978-1-84763-592-1

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Printed in the UK, July 2008