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STATUTORY INSTRUMENTS

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**2005 No. 2901**

**The Disability Discrimination (Service Providers and Public Authorities Carrying Out Functions) Regulations 2005**

**PART 3**

**REASONABLE ADJUSTMENTS TO PHYSICAL FEATURES**

**Reasonableness where consent of third party necessary for an adjustment to physical features of premises**

**10.**—(1) This regulation prescribes particular circumstances, for the purposes of sections 21 and 21E of the 1995 Act, in which it is reasonable, and in which it is not reasonable, for a provider of services or a public authority carrying out its functions to have to take the steps specified in this regulation.

(2) Where—

- (a) under any binding obligation a provider of services or a public authority carrying out its functions is required to obtain the consent of any person to an alteration to premises which it occupies; and
- (b) that alteration is one which, but for that requirement, it would be reasonable for the provider of services or a public authority carrying out its functions to have to make in order to comply with a duty under section 21 or 21E of the 1995 Act,

it is reasonable for the provider of services or public authority carrying out its functions to have to request that consent; but it is not reasonable for it to have to make that alteration before that consent is obtained.

(3) In this regulation “binding obligation” means a legally binding obligation (not contained in a lease) in relation to premises whether arising from an agreement or otherwise.