

Equality Impact Assessment

Relating to: Review of Parking Enforcement Services

Date: 22nd June 2012

Introduction

This Impact Assessment supports the County Council in meeting its legal obligations under the **Public Sector Equality Duty**, now contained in section 149 of the Equality Act 2010. The Equality Duty ensures that public bodies have due regard to the statutory needs referred to in section 149 when exercising their functions.

Section 149 provides that in exercising its functions an authority must have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it; and
- foster good relations between people who share a protected characteristic and those who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it involves having due regard (in particular) to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and those who do not share it involves having due regard (in particular) to the need to tackle prejudice and to promote understanding.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled person's disabilities.

Compliance with the duties in section 149 may involve treating some persons more favourably than others; but not if that would itself involve conduct which is made unlawful under the Equality Act 2010.

The protected characteristics to which the duty applies are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, also marriage and civil partnership but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having **due regard to** means consciously thinking about the statutory needs as part of the process of decision making, when the proposals are still at a formative stage, and before a decision is reached. This means that consideration of those equality issues must influence the decisions reached by public bodies. The Equality Duty must be exercised in substance, with rigour and with an open mind.

Indirect discrimination occurs where a condition criterion or practice is applied which would put people with one of the protected characteristics at a disadvantage, and the imposition of that condition, criterion or practice is not a proportionate means of achieving a legitimate aim, i.e. it cannot be objectively justified.

It is important to understand and consider how different people will be affected by the decisions the Council makes, so that policies and services are appropriate and accessible to all and meet different people's needs.

This assessment will help you think about the potential impact your proposals will have on all sections of the community. Recognising these impacts early on in the process of developing policies will assist good decision making and ensure that the County Council delivers services appropriate to people's needs. Remember that the Equality Duty involves having due regard to the needs to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, as well as to eliminate discrimination and other conduct which is unlawful under the Equality Act 2010.

1. Person responsible for undertaking this assessment:

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| Name: Jim Daniels | Telephone: 01452 425610 |
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Service: Parking

E-mail: jim.daniels@gloucestershire.gov.uk

Date of Assessment: 22nd June 2012
(supersedes Parking EIA dated September 2010)

2. Name and brief description of the policy, service, strategy, procedure or function: (indicate whether new or revised)

This impact assessment looks at the proposal to replace the six district council parking agencies with a single external parking service provider responsible for front line enforcement of parking and back office management of payments and appeals.

This delivery model will handle all on street enforcement on behalf of the County Council and off street car park enforcement where district councils choose to opt in.

By using Civil Parking Enforcement and Traffic Management Act powers councils can:

- *prohibit* parking and loading (e.g. on single or double yellow lines);
- *allow* parking by specified users (e.g. disabled people, residents, businesses, pay & display, limited waiting, bus stops, taxi ranks and loading bays)
- enforce bus lanes.

3. Briefly describe its aims and expected outcomes

To create a service which is more flexible and responsive, offers consistency to customers and delivers savings in running costs.

The most significant potential impacts of the proposal are summarised below:

- to improve the management of congestion, ensuring that the highway is accessible to all users

- to improve road safety
- To manage the availability of parking spaces, e.g. for disabled people
- To improve the turnover of parking near shops, supporting the local economy

Of all the protected groups, it is likely to have the biggest impact, positively, on disabled people. This is because enforcement deters other drivers from parking illegally in disabled bays, freeing up the bays for disabled people.

4. Describe how this policy will impact on the Council's duty to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations

Identify what particular groups of people will be affected by this policy.

This policy is about changing the provider of the parking enforcement service, not the regulations which the provider is enforcing.

All highway users and protected groups are currently affected by parking enforcement, for example:

- Disabled people and their carers: people with a Blue Badge or Carers Permit are more likely to find parking
- Residents living in a permit zone: with less competition from commuters residents are more likely to find parking close to home
- Businesses in a permit zone: permit holders can park within a residents parking zone
- Town centre traders: improved trading conditions by management of shoppers' parking; loading bays available for deliveries
- Bus users: less illegal parking which obstructs bus stops or delays bus services
- Taxi users - taxi ranks available for taxis to use
- Cyclists – improved safety as cycle facilities not obstructed by illegal parking
- Pedestrians – easier to cross the road safely, pavement parking better managed.

5. Provide details of the evidence you have gathered in making this assessment, including data sources, consultation undertaken and the outcome/s of this.

The Council is proposing a new way of delivering parking services involving greater use of an external provider. This follows discussions with the six district councils.

When the council consults with communities about parking it is normally to consider changes to parking rules (known as Traffic Regulation Orders). This proposal does not involve changing parking rules however some feedback from consultations in Cheltenham and Gloucester in 2010-2012 has assisted in seeking to understand the potential impacts of this service change on protected groups. In particular it has highlighted the importance of *maintaining* parking enforcement to benefit older people, disabled people and carers. As a consequence the council has also employed specialist fraud investigators to help detect and prosecute people abusing the use of Blue Badges and disabled parking spaces.

6. Is this Policy affected by, or will it have an impact on other Meeting the Challenge proposals? Yes/No. (If yes, please specify relevant project and indicate how it is affected).

Yes. This proposal is a key part of the MTC Buses and Parking project.

7. Where any particular group is affected differently by the policy in either a negative or a positive way, if you identify a negative impact, explain what actions you have undertaken or you plan to undertake, including consideration of any alternative proposals, to lessen or negate this impact.

| | Negative | Positive | Neutral | Evidence | Mitigating actions where a negative impact has been identified | How will the mitigating action be monitored/evaluated, including who will be responsible for monitoring. |
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| Age | | X | | <p>Enforcement enables permit parking schemes to be maintained and new ones introduced where needed. These schemes reduce competition for parking, making it easier for residents to park close to home. This particularly helps young families, older people and their visitors (carers permits are available).</p> <p>Keeping footways clear of parked vehicles helps parents with young children and older people using mobility scooters.</p> | | |
| Disability (indicate different impacts on different types of disability) | | X | | <p>Provision for people with disabilities and reduced mobility is provided for on a statutory basis through the Blue Badge scheme, which is enforced through this proposal. Disabled bays are more likely to be available to disabled people as a result.</p> <p>Keeping footways clear of parked vehicles helps older people using mobility scooters.</p> | | |
| Gender reassignment | | | X | | | |
| Marriage & civil | | | | | | |

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| partnership | | | X | | | |
| Pregnancy & maternity | | | X | | | |
| Race (including Gypsy & Traveller) | | | X | | | |
| Religion or Belief | | | X | | | |
| Sex | | | X | | | |
| Sexual Orientation | | | X | | | |
| Indirect Discrimination | | | X | | | |
| Other groups: e.g. rural isolation, long term unemployed, health inequality, carers | | X | | The council offers permits to essential health workers and carers to enable them to park in residents parking zones | | |
| Socio-economically deprived groups | | | X | | | |
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| <p>Community Cohesion</p> | <p>Provide details of any ways in which the proposed activity would promote equality in the community between those who share a protected characteristic and those who do not, and how it would promote good relations between such groups</p> <ul style="list-style-type: none"> • Is there equality between those who will and won't benefit from the proposal? • Are there strong relationships between groups and communities in the area affected and will the proposed action promote positive relationships? • Does the proposal bring groups/communities into increased contact with each other? | <p>This proposal relates to the continued enforcement of existing parking rules (known as Traffic Regulation Orders or TROs).</p> <p>The Council aims to strike a balance between the needs of different groups of highway users when it consults with local people before deciding to make a new TRO. These arrangements are not being changed.</p> <p>By continuing to enforce TRO's the benefits to the local community can be maintained.</p> | | |
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Declaration

We are satisfied that an Assessment has been carried out and where a negative impact has been identified, actions have been developed to lessen or negate this impact where possible.

Where the impact on equalities of the policy or proposals is very significant, and mitigating actions do not sufficiently lessen the impact, or mitigating actions cannot be identified, we have considered whether to go ahead with the original proposal at all, or whether to reformulate it.

We understand that the Equality Impact Assessment is required by the County Council and that we take responsibility for the completion and quality of this assessment.

Completed by:

Jim Daniels

Date: 25th June 2012

Role: Parking Manager



Countersigned by Head of Service:

Philip Williams

Date: 25th June 2012

Name of relevant Portfolio Holder/Cabinet Member: Cllr Chas Fellows, Lead Cabinet Member - Environment & Economy

I confirm that I have examined and understood the potential impact of the proposal and confirm that I have had due regard to the needs set out in section 149 of the Equality Act 2010.



Cllr Chas Fellows

Portfolio Holder/Cabinet Member

Date: 25th June 2012