

# Equality Impact Assessment

## Relating to: Transport Asset Management Plan (TAMP)

**Date:** 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.

Version: January 2012

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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<b>Service: Delivery – Network and Traffic Management and Gloucestershire Highways</b>	<b>E-mail: <a href="mailto:scott.tompkins@gloucestershire.gov.uk">scott.tompkins@gloucestershire.gov.uk</a></b>

Date of Assessment: 26<sup>th</sup> June 2012

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

**Transport Asset Management Plan (TAMP)**

The TAMP sets out how the authority will manage its highway assets including planned highways maintenance activities on carriageways, footways, bridges and street lighting. The document highlights the need for a long term approach to highway asset management through the use of life cycle plans and sets out the high level processes for delivering highway services in the county. It also details current asset inventory and condition data as well as a financial valuation of the asset.

**3. Briefly describe its aims and expected outcomes**

The aim of the TAMP is to provide a better, more consistent asset management driven approach to delivery of highway maintenance in the county. More realistic expectations of what level of service can be provided and a better understanding of how the county provides that service.

**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.

All road users and customers will benefit from having reliable, safe and fit for purpose network to travel on as well as clear service standards for inspection, maintenance and repair.

The document assist officers in providing a 'standardised' highway service in that it pulls together and records all the process, policies and guidance for highways maintenance activities into one 'operations manual'. It also is intended to assist members, parish councillors and members of the public understand the level of service provided given the available funding.

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

**LTP3 public consultation - Details of consultation and outcome**

The initial consultation on the TAMMP was carried out alongside the public consultation on LTP3 in 2011, as the TAMMP is a supporting document to LTP3. The comments from the public consultation have resulted in some changes to the original document.

In addition, a number of internal stakeholders including key officers, senior management and members have been involved in a stakeholder consultation of the most recent revisions to the document in preparation for the document to be taken to Environment Scrutiny Committee.

District officers will also have an opportunity to comment on the document before the final amendments are made and the final version taken to cabinet for approval.

National guidance on the development of Transport Asset Management Plans

**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 policy sets out a basic level of highway service provision following the corporate strategy of living with our means, providing a basic service, and helping communities to help themselves. The service standards have been set to reflect the services current and anticipated MTC budget reductions, which has resulted in some reductions in service provision. These reductions were clearly identified with elected members through the cabinet and scrutiny processes during the consultation and approval of the revised TAMMP in 2011.

**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.
<b>Age</b>			X	Possible impact on older people using footways with a higher risk of slip, trips and falls if the state of repair of the footways is not kept to a reasonable standards. The chief mitigation within the TAMMP is the Highways Safety Inspection Policy which follows national codes of practice for setting frequency of		

					inspection, criteria for intervention and timescales for repair. Close adherence to this policy ensures that all users of the carriageway and footway are treated equally.		
<b>Disability (indicate different impacts on different types of disability)</b>			X		Possible impact on disabled people using footways with a higher risk of slip, trips and falls if the state of repair of the footways is not kept to a reasonable standards. The chief mitigation within the TAMM is the Highways Safety Inspection Policy which follows national codes of practice for setting frequency of inspection, criteria for intervention and timescales for repair. Close adherence to this policy ensures that all users of the carriageway and footway are treated equally.		
<b>Gender reassignment</b>			X				
<b>Marriage &amp; civil partnership</b>			X				
<b>Pregnancy &amp; maternity</b>			X				
<b>Race (including Gypsy &amp; Traveller)</b>			X				

Religion or Belief			X			
Sex			X			
Sexual Orientation			X			
Indirect Discrimination			X			
Other groups: e.g. rural isolation, long term unemployment, health inequality, carers	X			Possible impact to residents in rural isolation resulting from the poor state of repair of very minor unclassified roads connecting rural properties and hamlets to larger villages and towns.	The chief mitigation within the TAMMP is the Highways Safety Inspection Policy which follows national codes of practice for setting frequency of inspection, criteria for intervention and timescales for repair. Close adherence to this policy ensures that all users of the carriageway and footway are treated equally.	Adherence to the policy is audited by the Risk Manager – CDM and Inspections; inspection programmes are also monitored on a monthly basis by the Gloucestershire Highways Senior Management Team.
Socio-economically deprived groups			X			

<p><b>Community Cohesion</b></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"> <li>• Is there equality between those who will and won't benefit from the proposal?</li> <li>• Are there strong relationships between groups and communities in the area affected and will the proposed action promote positive relationships?</li> <li>• Does the proposal bring groups/communities into increased contact with each other?</li> </ul>	<p>The TAMP sets out service standards and policies that affect urban and rural communities equally; the whole of the county benefits from having a single standard approach to the delivery of highway services.</p>		
<p><b>Declaration</b></p>	<p>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.</p> <p>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.</p> <p>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.</p>			



Completed by: Scott A Tompkins

Date: 26<sup>th</sup> June 2012

Role: Network Manager

Countersigned by Head of Service: Sheila Jones

Date: 4<sup>th</sup> July 2012

Name of relevant Portfolio Holder/Cabinet Member: ..... Cllr Will Windsor-Clive.....

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.

 ..... Portfolio Holder/Cabinet Member Date: 22-10-12 .....

