

# Equality Impact Assessments and Equality Analyses

An equality impact assessment/analysis is a process to identify and measure the potential impact of an organisation's policies, services and functions on its residents and staff. This applies to already existing services and proposed changes to those services.

The Equality Act 2010 requires public bodies or those providing a public function to meet the Public Sector Equality Duty. The purpose of this statutory duty is to assist public bodies to tackle persistent and long-standing issues of disadvantage. In line with the Equality Act 2010, THH is committed and required to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act
- Advance equality of opportunity between groups of people
- Foster good relations between different groups of people

This equality impact assessment will also help LBTH and THH to provide and deliver better services to residents and staff by making sure that they reflect the needs of the community and that the delivery of those services is accessible, inclusive and fair.

## Equality Impact Assessment: Implementation of Traffic Management Orders

**Proposal: The Council is proposing to implement traffic management orders on all LBTH estates to allow better enforcement of unauthorised parking on LBTH estates**

**Service Area: Tower Hamlets Homes**

**Team Name: Neighbourhood Services**

**Service Manager: Simon James**

**Name and role of officer completing the EqIA: Simon James**

# Implementation of Traffic Management Orders in Tower Hamlets

## Section 1: General Information

**Proposal background** In September 2014, the Minister of State, Robert Goodwill sent a letter to all Local Authorities stating that traffic enforcement on Council land should be managed by the use of Traffic Management Orders (TMO's). The vast majority of Local Authorities within the London area used contract law to control and manage unauthorised parking. From this point, DVLA began to withdraw from issuing Keeper details when requested by Councils. Since then THH has been prevented from effectively controlling unauthorised parking on its estates.

### **How was the need for the proposal identified and what is that need?**

As stated above, Managers recognised the significant risk of an increase in unauthorised parking following the Government announcement. Additionally, many Councils nationally including LBTH are being legally challenged by a "Mr Jones" , a campaigner about the use of POPLA (Parking on Private Land )

The only solution recognised by Government is the use of Traffic Management Orders to control illegal parking on all Council Housing Land

### **Proposal in detail**

This is a lengthy process that having been agreed by the Cabinet, requires the approval of residents on an estate by estate basis to go ahead but will resolve the problems that are currently being experienced on LBTH estates.

There is a 3 stage process which will involve extensive consultation This will be an opportunity to make any comments and support or amend any proposals that are being made

Stage one: Gauging resident views on whether they want a TMO as the means of enforcement-generally unless there are strong management reasons (ie health and safety, fire, ASB) resident consensus is needed to embark on a TMO.

Stage two: If there is agreement, this will involve providing plans to residents as to how a scheme will look.

Stage three: Statutory Notice-signs are put on the estate allowing residents to comment or raise objections

Following a 3 stage consultation, a TMO notice will be published on the estate allowing the issuing of PCN's to those parking without authorisation.

**Who is expected to benefit from the proposal?**

All Residents particularly disabled bay holders will benefit increased parking enforcement on LBTH estates

## **Section 2 – Evidence**

### **Consideration of Data and Information**

#### **Initial evidence to identify impacts or likely impacts on service users or staff**

Legal advice suggests that individual bay usage is not possible within the remit of a TMO and that this means that “courtyard parking” will be introduced

#### **Residents**

Disabled Residents might worry that this will either disrupt their ability to park near their home or mean they will be unable to park. Consideration however has been given to this within these proposals

## **Section 3 – Assessing the Impacts**

### **Impact upon the nine Protected Characteristics**

Sets out the rationale for the EIA in terms of how access to Personalised bays will be assessed by Disabled Tenants

#### **Equality profile of service users or staff that are likely to be affected**

This equality impact assessment will be conducted on the basis of the 9 protected characteristics that are outline in the Equality Act 2010.

It is necessary to consider the impacts of these proposals with regards to disabled parking

#### **Consultation**

Informal consultation has begun with meetings with 20 TRA’s about these proposals. Also, the revised Policy has been looked at by Residents who sit on THH’s Service Development Group

#### **Barriers to participation**

All residents have to be written to about these proposals. THH will be conducting on site surgeries and open days to explain these proposals

## Equality impact assessment by protected characteristics

### Impact based on disability

The new system will introduce courtyard parking for a set number of residents-ie there will be the same amount parking as bay numbers.

Disabled Residents may however be able to get a designated space if they meet the blue badge criteria-and will qualify for a Disabled Housing Bay permit

The new policy will also give greater emphasis on disabled applications for parking in that spaces will be held back for blue badge holders-currently they have to compete for a space.

More effective control will also end the culture of thoughtless parking, people parking in front of bays and garages that has an impact on disabled parking

#### Findings

- The measures set out below will negate any impact on disabled tenants with parking rights

#### Recommendations

- Introduction of Disabled Bay permit recognised within the TMO notices
- Better access for spaces for disabled people as they become available
- No over subscription of available spaces

### Impact based on socio-economic factors

This proposal also recommends introducing a six or twelve monthly permits where residents pay in advance for this service.

This will move the service in line with on street permits and be at the low end of the price charged by highways.

LBTH has very low charges for Car spaces compared with the vast majority of London Boroughs. Car spaces are let on a rental basis and management time is invested in issuing cards and chasing debt.

Some residents have argued that paying in advance may affect those on a

low income. This may have a minimal impact on some but the overall cost remains the same

**Findings** This will have a negative albeit minor impact on those on a low income but does move the approach to off street parking in line with on street (and is in many cases still cheaper) . Overall, residents will also benefit from the saving in the administration of rent which will be re-invested into services

**Recommendations**

- Introduction of 6 or 12 monthly permits at approximately £50 or £100 a year

**Impact based on ethnicity**

The impact has been examined in relation to the proposals to:

- a) Restrict the number of permits to two per household for new applications; and
- b) The withdrawal of spaces from permit holders who live outside of the borough.

**Findings**

**a) Restricting permits to two per household**

Data from the 2011 ONS Census shows that only a small percentage of people living in Tower Hamlets own more than two cars, i.e. 0.7% (see Appendix 1). Similarly, THH figures show that the percentage of THH tenants and leaseholders renting more than two parking spaces is 0.6% or 132 people.

The low number of people renting more than two spaces makes it difficult to carry out any meaningful analysis on ethnicity. Furthermore, the proposal to restrict the number of permits will not be retrospective and therefore will not have an impact on existing permit holders.

Based on the analysis carried out there is no indication that the proposal will disproportionately affect any particular ethnic group. Furthermore, restricting the number of permits to a maximum of two per household will be fairer and more inclusive, i.e. it means that other households will have the opportunity to rent spaces.

**b) Withdrawal of spaces from people living outside of the borough**

Our analysis shows that out of the 406 parking space permit holders living outside of the borough, ethnicity data is only held for 46 people.

Again the low level of data held makes it difficult to carry out meaningful analysis. The ethnicity break down is shown at Appendix 1.

Based on the analysis carried out there is no indication that the proposal will disproportionately affect any particular ethnic group. The proposal will give priority to residents of Tower Hamlets, which is a diverse borough.

### **Recommendations**

Proceed with the proposals to restrict the number of permits to two per household for new applications and to withdraw spaces from people living outside of the borough.

### **Other protected characteristics**

<b>Impact based on age -</b>	<b>Not applicable to all</b>
<b>Impact based on gender</b>	
<b>Impact based on gender reassignment</b>	
<b>Impact based on religion &amp; belief</b>	
<b>Impact based on marriage &amp; civil partnership</b>	
<b>Impact based on pregnancy &amp; maternity</b>	
<b>Impact based on sexual orientation</b>	
<b>Impact based on Human Rights</b>	

<b>Target Groups</b>	<b>Impact</b>	<b>Findings</b>	<b>Recommendations</b>
Protected characteristics and relevant factors	Impact of proposal	Are the proposals accessible, inclusive and fair?	Areas to consider
<b>Age</b>	<b>Positive/Negative?</b>	<b>None</b>	
<b>Disability</b>	<b>Positive/Negative?</b>	Positive-The TMO will allow disabled tenants better access to their vehicle without fear of thoughtless parking	Introduction of a process which holds spaces for known blue badge applicants  Introduction of Disabled Resident Permits on LBTH housing estates
<b>Ethnicity</b>	<b>Positive/Negative?</b>	<b>Positive:</b> Based on the analysis carried out there is no indication that the proposal to restrict the number of permits to two will disproportionately affect any particular ethnic group. Furthermore, the proposal will be fairer and more inclusive, i.e. it means that other households will have the opportunity to rent spaces.  The proposal to withdraw spaces from people living outside the borough will give priority to residents of Tower Hamlets, which is a diverse borough. There is no indication based on the analysis that it will disproportionately affect any particular ethnic group.	
<b>Gender</b>	<b>Positive/Negative?</b>	<b>None</b>	
<b>Gender Reassignment</b>	<b>Positive/Negative?</b>	<b>None</b>	
<b>Religion &amp; Belief</b>	<b>Positive/Negative?</b>	<b>None</b>	
<b>Marriage &amp; Civil Partnership</b>	<b>Positive/Negative?</b>	<b>None</b>	
<b>Pregnancy &amp; Maternity</b>	<b>Positive/Negative?</b>	<b>None</b>	
<b>Sexual Orientation</b>	<b>Positive/Negative?</b>	<b>None</b>	



<b>Other factors:</b>	<b>Negative</b>	Consideration of Socio economic impacts-minor impact	None
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## Action plan

<b>Recommendation</b>	<b>Key Activity</b>	<b>Progress milestones including target dates for either completion or progress</b>	<b>Officer Responsible</b>	<b>Progress</b>
Improved access for Disabled Residents to Bays	See Action Plan	Changes to GIS system	Simon James	Due 18/19
Introduce disabled bays application process	See Action Plan	Already introduced at Watts Grove	Simon James	Underway

## Sign off and publication

<b>Name:</b> (Signed off by)	
<b>Signature:</b>	
<b>Position:</b>	
<b>Date Signed off:</b> (Approved)	

## Car Ownership in Tower Hamlets

Appendix 1: Car Ownership, Tower Hamlets, 2011						
	Tower Hamlets		London		England	
	No	%	No	%	No	%
<b>All households</b>	<b>101,257</b>	<b>100.0</b>	<b>3,266,173</b>	<b>100.0</b>	<b>22,063,368</b>	<b>100.0</b>
No cars or vans	63,797	63.0	1,357,251	41.6	5,691,251	25.8
1 car or van	32,329	31.9	1,324,032	40.5	9,301,776	42.2
2 cars or vans	4,450	4.4	458,659	14.0	5,441,593	24.7
3 cars or vans	521	0.5	95,619	2.9	1,203,865	5.5
4 or more cars or vans	160	0.2	30,612	0.9	424,883	1.9
<b>All 1 or more cars or vans</b>	<b>37,460</b>	<b>37.0</b>	<b>1,908,992</b>	<b>58.3</b>	<b>16,372,117</b>	<b>74.3</b>

Source: ONS, 2011 Census (Table KS404EW)

### Ethnicity of Parking Space Permit Holders Living Outside of Tower Hamlets (Where Known)

ETHNICITY	Number	Percentage	THH Tenant/ Leasehold Profile
Asian Or Asian British:Bangladeshi	13	28.3%	39.4%
Asian Or Asian British:Indian	2	4.3%	1.1%
Asian Or Asian British:Other Asian	1	2.2%	0.9%
Asian Or Asian British:Unknown	4	8.7%	1.3%
Black Or Black British:African	3	6.5%	1.5%
Dual:Black Caribbean & White	1	2.2%	0.2%
Gypsy Or Travellers	1	2.2%	0.0%
White: Any Other White Background	2	4.3%	3.3%
White:British	15	32.6%	15.8%
White:Unknown	4	8.7%	1.5%
<b>TOTAL</b>	<b>46</b>	<b>100.0%</b>	