

Equality Impact Assessment/Equality Analysis – May 2016

This EIA pro-forma has been designed to help you ensure that you are adequately meeting the requirements of the general Public Sector Equality Duty (PSED) when designing/changing/introducing services. Please use the Conducting Equality Analysis/EIA guidance note in conjunction with this form. The form will act as written and dated evidence that equality analysis was conducted prior to policy changes being implemented and that 'due regard' has been given to all three aims of the general equality duty with respect to all 9 protected characteristics. The completed form will be published on the Council's website as is required by law.

For ease the term 'policy' is used as shorthand to refer the full range of services and functions that the PSED applies to i.e. policies/functions/services/projects/procurement etc

Part 1 – Describe the policy and it's relevance to equality

Name of policy	Disabled Persons Parking Bays - Exclusive Use Permit Charge.
Trigger for EIA	Change to existing policy.
<p>Briefly describe the policy including:</p> <ul style="list-style-type: none"> • its purpose and aims • main stakeholders (i.e. beneficiaries, service users, staff) • if it is likely changes proposed may lead to organisational restructures <p>(If the policy requires changes to staffing structures a separate staff impact needs assessment will need to be undertaken)</p>	<p>Currently the Council funds the installation, maintenance and enforcement of Disabled Persons Parking Bays (DPPB's) across the borough.</p> <p>The Council considers providing parking bays for disabled blue badge holders, outside or near their place of residence, when a resident confirms that they hold a Blue Badge, have no off-street parking facilities and have full time access to a vehicle registered to the property. All blue badge applicants complete an application form and providing they meet the agreed criteria and a bay can be provided in a safe location, a bay is advertised for use by blue badge holders. The main beneficiaries of this service are disabled residents and their families. Bays are installed outside (or as near to as possible) to the residents property and this may as a result include a bay being installed inside a Controlled Parking Zone, with existing controls and measures in place.</p> <p>It was proposed to introduce a permit system for disabled drivers with a bay allocated on street who wish for the existing or new bay to be for exclusive use.</p> <p>A report was compiled and submitted to the Council's PDS committee on 23rd September 2014 that recommended that a charging structure is put in place to cover the costs of the Disabled Person Parking Bay Scheme borough wide for the new 2015/2016 financial year. This resident consultation was to be progressed after consultation with the relevant disabled groups.</p>

On 23rd February 2015 the following groups were informed of the proposed changes:

1. Bromley Mobility Forum
2. Bromley Talking Newspaper
3. Kent Association of the Blind
4. Bromley Experts by Experience (X by X)
5. Disabled Motoring UK

Subsequently, all residents who have been provided with a bay on street were contacted in March 2015 to inform them of the planned change to install a charge for the DPPB's.

After informing residents of the proposed change, a number of comments were received. Many of the residents objected to the proposed scheme arrangement and many asked for this to be reviewed. Many of the requests received from residents regarded exclusive use and asked whether the fee for the DPPB would allow exclusive use of each bay. This is something that has been requested for many years by DPPB 'owners' as there is often abuse with disabled bays in residential streets. Over the years residents have requested 'exclusive' use of such bays, to help improve the opportunity to park on street. This was never considered to be possible; however, a recent change to the Traffic Signs Regulations and General Directions (TSRGD) now allows a **disabled permit** to be issued to facilitate sole use exclusive bays. This was not something the Council could progress when the DPPB scheme first started.

It is therefore felt that if the scheme is to be progressed, the proposed format should change and disabled residents should be given more choice. It was originally intended that all DPPB 'owners' were to be charged for each bay. However, it is felt appropriate that such residents should be given the choice of whether they **do or do not wish to pay for a DPPB permit.** This permit would allow exclusive use of the bay. This would be offered to disabled residents inside or outside of any Controlled Parking Zone (CPZ), as currently such permit bays are not added outside a CPZ.

However, to cover these costs of a new permit system for exclusive use bays, including a percentage for enforcement, an annual charge of £80 would be levied by way of a permit (this is the same charge as a residents permit in an all-day Controlled Parking Zone), this will cover the on-going costs of maintenance as well as recouping the initial cost of amending a bay on street.

All bays within the London Borough of Bromley are covered by a Traffic Management Order to allow enforcement, and bays are clearly marked on the

	<p>carriageway indicating that a blue badge holder can park there. The Council's parking contractor enforces compliance in such bays, although the use of each bay is not reserved for an individual and can be used by any blue badge holder. It is anticipated that in the new scheme those who pay for a permit will have sole use of their bay. Those who do not wish to pay for a permit would retain the bay on street for all blue badge holders. This would be the choice of each DPPB 'owner'.</p> <p>A number of other local authorities have chosen not to introduce Traffic Management Orders for any Disabled Parking Bays they allocate. This means that such bays are simply advisory; enforcement is not possible if a motorist parks within a bay without displaying a valid Blue Badge. This process relies on users of the road being compliant with the advisory bay markings and signs. Many outer London local authorities take this approach, where parking demand is not as high and enforcement of all restrictions is low.</p> <p>It is not anticipated that this proposal will lead to any changes in staffing structures.</p>
<p>Equality Relevance (delete as appropriate)</p> <p>(Include link to published Determining Relevance to Equality checklist if available)</p>	<p>Highly Relevant to Equality</p>
<p>Has the function been previously EIAed? If so when and attach the publication link</p>	<p>No</p>
<p>Summarise actions from previous EIA and provide an update on their delivery</p>	<p>N/A</p>

Part 2 – Evidence collection – what do you know?

<p>Please describe the evidence you will use to make your judgement. What existing data for example (qualitative or quantitative) have you used to form your judgement?</p> <p>(Any evidence that is aggregated by protected characteristic to be noted below)</p>	<p>At this time the Council has approximately 350 DPPB's within residential streets (operational at any time) installed as a result of a request from a resident.</p> <p>In 2014 – around 20 residents (new applicants) met the agreed criteria and thus had bays installed on street.</p> <p>This scheme will affect disabled people and their ability to pay for a permit. However, it will provide them with a dedicated parking space on the highway which other motorists are unable to use. This gives them exclusive use and improves the service offered to the resident. The disabled resident will get more choice than those currently outside of permit schemes / areas. Exclusive use permits are not available to other residents, but the proposal recognises the need for disabled drivers to have priority in the bay allocated for their use outside of their property. The opportunity to allow exclusive use is therefore proposed. However, the choice will remain with each bay 'owner'. If the resident wants the bay to remain open for all blue badge holders (the current format) they can do so, at no cost. The new disabled permit will be available to disabled drivers with a bay, if they want to create exclusive use if they feel this will be more beneficial to their individual needs.</p> <p>Whilst the vast majority of bays are allocated at the request of a resident, additional Disabled Persons Parking Bays are also located in Town Centre locations or near local shopping parades, car parks, or railway stations. This helps to provide a designated space where a disabled driver can park. These bays have therefore not been introduced at individual request but rather to provide a parking facility in the area. Such bays would remain available for all blue badge holders. These bays would not be exclusive use.</p> <p>Approximately 20-30 new disabled parking bays are installed every year, with approximately 10 bays removed as they are no longer needed, so there is an approximate net increase of around 20 bays per year on street.</p>
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Protected Characteristic	Evidence
Age	N/A
Disability	This scheme will affect disabled people and provide further opportunity to pay for a DPPB permit to allow a bay to be installed for exclusive use on street.

Sex	N/A
Gender reassignment	N/A
Pregnancy & Maternity	N/A
Race	N/A
Religion & Belief	N/A
Civil Partnerships & Marriage	N/A
Sexual Orientation	N/A

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Part 3 (optional) – Consultation and engagement – what do those affected think?

Please note that there is no explicit legal requirement under the General Equality Duty to engage with people who share protected characteristics. The General Duty only requires public authorities to have an adequate evidence base for their decision-making and engagement is can assist in developing that evidence base. If you are highly relevant to equality then it is likely you will want to engage interested parties if you are proposing changes to an existing service. See EIA Guidance for more info.

<p>Have you held any consultation/engagement with service users/interested parties likely to be affected by the policy?</p>	<p>A report to PDS was approved by the committee on 23rd September 2014 regarding DPPB permits.</p> <p>Relevant stakeholders were informed / consulted in February 2015.</p> <p>All affected disabled residents were informed / consulted in March 2015</p> <p>Given the feedback received and requests for exclusive use, it is intended to carry out further consultation with all key stakeholders and affected disabled bay 'owners'.</p> <p>A further public consultation process will run between 11th 13th June and Friday 8th July 2016. All residents allocated with a DPPB will be consulted on whether they would wish for an exclusive use permit. The scheme will be explained and they will be asked if they do or do not want exclusive use. All comments will be included in the EIA.</p> <p>All relevant key stakeholders and disability groups will be consulted and informed of the proposed scheme.</p>
<p>Have your client group/service users/interested parties been involved in drawing up the policy?</p>	<p>Yes.</p> <p>Disabled residents have requested for a number of years that exclusive use should be issued and made available. The purpose of the further consultation is to offer this opportunity to residents.</p> <p>The consultation will help determine whether there is sufficient support and need for an exclusive permit.</p>
<p>How have you attempted to include traditionally hard to reach/hear groups? E.g. those with learning disabilities/Bengali women/Gypsy & Traveller communities etc.</p>	<p>As well as the public consultation, we will:</p> <ul style="list-style-type: none"> • Put hard copies in the civic reception and communicate this through the Council's web site.

	<p>The purpose of the consultation is to elicit views from the public particularly disabled drivers on the scheme particularly the opportunity of having exclusive use of the bay.</p>
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Part 4 - What is your judgement? – analyse your evidence and describe the impact***(a) Aim 1 of the PSED – the duty to eliminate discrimination***

Characteristic	Actual or likely impacts (negative/positive/no impact) and justification	Actions to be taken to mitigate potential negative impacts (include name of lead and estimated date of completion)
Age		
Disability	<p>As this service is offered to assist disabled residents, introducing charging is likely to have a mixed impact on this group. There are disabled drivers that cannot always use the bay that has been allocated to them because other blue badge holders find those spaces useful. There are of course areas where other disabled drivers are not trying to use the bay provided.</p> <p>With regard to the operation of the scheme outside CPZs, disabled persons would be charged £80 annually for a parking space where other residents were not paying anything to park. However, disabled persons would be paying for a defined and dedicated bay outside or near to their home for which they would have sole and exclusive use. They would be paying for the 'guarantee' of that parking space within a distance of their dwelling that their mobility allows them to reach.</p>	<p>The charges are in line with the amount residents have to pay if they want a residential permit within a Controlled Parking Zone in the London Borough of Bromley.</p> <p>The fee is consistent with all other permit schemes.</p> <p>A mitigating factor is that a disabled person who lives outside a Controlled Parking Zone is not compelled to have a dedicated bay and can continue to park on the street the same as any other resident.</p>
Sex	N/A	
Gender reassignment	N/A	
Pregnancy & Maternity	N/A	
Race	N/A	
Religion & Belief	N/A	

Civil Partnerships & Marriage ¹	N/A	
Sexual Orientation	N/A	

(b) Aims 2 and 3 of the PSED – the duty to advance equality of opportunity & foster good relations

Protected Characteristic	How can this policy be designed to advance equality of opportunity	How can this policy be designed to foster good relations between groups
Age		
Disability	The policy can ensure that disabled persons, particularly those who live in Controlled Parking Zones where a residents permit is needed, are guaranteed a parking space in a location which their limited mobility allows them to reach.	The policy will provide disabled drivers more choice in the designation of the disabled person parking available on street outside of their property.
Sex	N/A	<u>N/A</u>
Gender reassignment	<u>N/A</u>	<u>N/A</u>
Pregnancy & Maternity	<u>N/A</u>	<u>N/A</u>
Race	<u>N/A</u>	<u>N/A</u>
Religion & Belief	<u>N/A</u>	<u>N/A</u>
Sexual Orientation	<u>N/A</u>	<u>N/A</u>

¹ Only applies to aim one of the PSED

Part 5 – Completion and authorisation

Directorate & Service	Traffic Engineering
Date EIA completed	11 th May 2016
Name and Job Title of Officer completing EIA	Paul Nevard Traffic Engineer
Describe how you will monitor impact of your policy	Consultation results and all feedback and comments.
Officer responsible for monitoring impact	Angus Culverwell Head of Traffic & Road Safety
Date EIA is scheduled to be reviewed	July 2016 – results of consultation to be summarised for delegated decision and subsequent changes made.
DD responsible for policy	Signature Date

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