

City of York Council
Equalities Impact Assessment

Directorate:	Place		
Service Area:	Transport		
Name of the proposal :	Consideration of changes to the City Centre Traffic regulation order Proposed changes to permanent footstreet hours		
Lead officer:	Helene Vergereau		
Date assessment completed:	04/11/2021		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Helene Vergereau	Traffic and Highway Development Manager	CYC	Transport
Darren Hobson	Traffic Management Team Leader	CYC	Transport
David Atkinson	Head of Highways and Transport	CYC	Transport
Heidi Lehane	Senior Solicitor	CYC	Legal

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p>The proposal considered here is to start a statutory consultation on a permanent change to footstreet hours from 10:30 am to 7pm. This would extend the restrictions on vehicular access in place in the footstreets by two hours in the evening as the permanent restrictions currently end at 5pm.</p> <p>The purpose of this proposal is to allow further exploration of the My City Centre aspiration of long term footstreet hours that run later into the evening (see separate report). Extending the vehicular access restrictions until later in the evening would:</p> <ul style="list-style-type: none">• Increase public safety and avoid danger to persons in areas of high footfall for a longer period (until 7pm as proposed), recognising the Council’s duty to protect the public from terrorism;• Reduce the number of vehicles accessing the streets listed above, reducing the level of conflict between vehicles and pedestrians between 5 and 7pm;• Enable the use of some areas of the carriageway or footways as pavement café areas during the early evening (until 7pm), improving the amenities of the footstreet area. <p>Footstreet hours have been extended to later in the evening previously, as follows:</p> <ul style="list-style-type: none">• Prior to COVID the hours have been extended on a temporary basis for the Christmas festive period. Restrictions have generally been extended every year over this period, to run until 6pm Sunday to Wednesday, and until 8pm Thursday to Saturday, to accommodate the large numbers of people visiting the footstreets at these times;• Responding to the COVID pandemic, the Executive adopted a one year COVID 19 Transport and Place Strategy in July 2020. The Strategy formalised a number of emergency officer decisions to change the way the city was managed in response to the pandemic. This included changes to Blue Badge access and parking, as well as a temporary extension of the footstreet hours to 8pm.

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p>Temporary arrangements currently in place - Under the City's Economic Recovery Plan and the Government's Safer Public Place Guidance, published in response to the Covid 19 pandemic, a Transport and Place Strategy was introduced for the City. Within this strategy, some temporary changes were made to the city centre footstreets to allow social distancing and to allow businesses to continue to operate during the pandemic. The footstreet hours were temporarily extended from 5pm to 8pm and access exemptions for Blue Badge holders were temporarily suspended in the streets listed above. These measures are currently planned to remain in place until September 2022 (in line with the Government's extension of the temporary pavement café licence process under the Business and Planning Act 2020).</p> <p>This proposal – Relevant legislation includes:</p> <ul style="list-style-type: none"> • Road Traffic Regulation Act 1984 and associated regulations relating to TROs, under which local traffic authorities in England and Wales (outside London) may make permanent orders for the following purposes: <ul style="list-style-type: none"> ○ To avoid danger to persons or other traffic using the road or any other road or to prevent the likelihood of any such danger arising; ○ To prevent damage to the road or to any building on or near the road; ○ To facilitate the passage on the road or any other road of any class of traffic (including pedestrians); ○ To prevent the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property; ○ To preserve the character of the road in a case where it is specially suitable for use by persons (...) on foot; ○ To preserve or improve the amenities of the area through which the road runs; or ○ To preserve or improve local air quality. • Equality Act 2010, which aims to protect people from discrimination in the workplace and in wider society. The Act includes a Public Sector Equality Duty, which requires public bodies to consider how their decisions and policies affect people with protected characteristics. The public body also should have evidence to show how it has done this. It also requires that public bodies have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The Equality Act 2010 covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- | | |
|--|--|
| | <ul style="list-style-type: none">• Inclusive Mobility Guidance (Department for Transport 2005)• Protect Duty consultation documents (www.gov.uk/government/consultations/protect-duty)• Hostile Vehicle Mitigation guidance (www.gov.uk/government/publications/crowded-places-guidance/hostile-vehicle-mitigation-hvm#vehicle-as-a-weapon-vaw)• The Blue Badge scheme: rights and responsibilities in England (www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england) |
|--|--|

1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>Key stakeholders for this proposal are:</p> <ul style="list-style-type: none"> • Car drivers and passengers, including Blue Badge holders, taxis and private hire, city centre residents, employees, and businesses, and delivery drivers, who, under the permanent arrangements (excluding the temporary Covid restrictions) are able to access and park in the footstreets after 5pm (with the exception of Stonegate, the Market area, and the Shambles which are covered by separate restrictions on vehicular access). DARREN – Anything I have missed here? Their interests include the retention of vehicular access, loading and parking after 5pm to access shops, services, leisure, events and hospitality venues, dwellings and places of employment, deliveries and collections (deliveries to shops, food collections and deliveries, waste collections, cleaning, maintenance and servicing of buildings, etc). • Cyclists, including people using their bike as a mobility aid and cyclists undertaking deliveries, who, under the permanent arrangements (excluding the temporary Covid restrictions) are able to access and cycle through the footstreets after 5pm (with the exception of Stonegate, the Market area, and the Shambles which are covered by separate restrictions on vehicular access). DARREN – Anything I have missed here? Their interests include the retention of cycle access to the city centre after 5pm and the ability to travel through the footstreets area after 5pm. One respondent to the City Centre Access consultation (October 2021) summarised this as follows: <i>“Currently the footstreets block access for cyclists (unlike similar schemes in other cities) making access to and across the city centre for cyclists really difficult - whether wanting to shop during the day, or go to bars/restaurants in the early evening. Allowing cycle access to the footstreet area would make me more in agreement with this proposed change.”</i> • Pedestrians, accessing city centre shops and services. Their interests are mixed as there is support for the removal of vehicles from the footstreets during the early evening to enable residents and visitors to access shops, services, leisure, events and hospitality venues in a mostly car-free environment. There is also support for outdoor seating provision from some residents and visitors to the city centre. Others would prefer to be able to park in the city centre or be dropped off in the city centre to access city centre shops and venues during the early evening. • City centre businesses and service providers (e.g. deliveries, trades, etc). This includes market traders have traditionally accessed the market area from 5pm to clear their stalls for the evening. Their interests are mixed as there is support for the removal of vehicles from the footstreets during the early evening to enable residents and visitors to access shops, services, leisure, events and hospitality venues in a mostly car-free environment. There is also support for outdoor seating provision

from some businesses. Others would prefer vehicular access to the city centre to be permitted from 5pm to enable deliveries to shops, food collections and deliveries, waste collections, cleaning, maintenance and servicing of buildings to take place earlier, noting staffing cost implications for the business if the restrictions are extended. Respondents to the City Centre Access consultation (October 2021) summarised this as follows: *“Businesses need to be able to operate a viable delivery service.” / “I think it will mean staff members having to stay late to receive deliveries and the working day is long enough already” / “If shop deliveries have to be later in the evening shop staff would have to work even later hours.”*

- City centre residents. Their interests are mixed as there is support for the removal of vehicles from the footstreets during the early evening to provide a mostly car-free environment. There are however concerns with the impact of outdoor seating on city centre residents’ amenity and some residents want to be able to access their homes by car after 5pm.
- Utility companies, contractor, council highway and building maintenance, waste collection providers. Their interests include the retention of vehicular access, loading and parking after 5pm to undertake their tasks without the need to apply for access waivers or plan late/night works.
- Emergency services. Vehicular access would be retained at all times for emergency services.

Focusing on the interests of stakeholders with protected characteristics under the Equality Act 2010, the following groups are specifically considered in this EIA. Their interests are summarised as follows:

- Older people – Mixed interests. Some support for a car free environment in the city centre in the early evening but also support for vehicular access to be re-established after 5pm, especially for those living with a disability or with reduced mobility.
- Young people and children (and families) - Mixed interests. Some support for a car free environment in the city centre in the early evening but also support for vehicular access to be re-established after 5pm, especially for those living with a disability or with reduced mobility or with very young children.
- Pregnancy and maternity - Mixed interests. Some support for a car free environment in the city centre in the early evening but also support for vehicular access to be re-established after 5pm, especially for those living with reduced mobility as a result of pregnancy related conditions or with very young children.
- People who live with a disability, including, but not limited to, Blue Badge holders – Significant support for vehicular access, including by bike when used as a mobility aid, to be re-established after 5pm, to access shops, services, leisure, events and

	<p>hospitality venues, dwellings and places of employment. Some limited support for a car free environment in the city centre in the early evening.</p> <ul style="list-style-type: none">• People who may want to access a place of worship within the city centre (protected characteristic: religion or belief). Mixed interests. Some support for a car free environment in the city centre in the early evening but also support for vehicular access to be re-established after 5pm, especially for those living with a disability or with reduced mobility
--	---

<p>1.4</p>	<p>What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.</p>
	<p>The purpose of this proposal is to allow further exploration of the My City Centre aspiration of long term footstreet hours that run later into the evening. See separate report, which details the key aims as:</p> <ul style="list-style-type: none"> • Support the early evening economy – with more remote working, spend from workers at lunchtimes and post work will reduce, and with the high street experience changing, more leisure based uses are being identified in the city. The proposal would aim to support both leisure and retail, alongside cultural attractions, to grow their offer in the early evening to provide a family friendly and attractive offer for residents and visitors; • Vibrant mid-week early evening - this has traditionally been a quieter time in the city, and presents opportunity to grow the centre’s offer with a range of activities, attractions and a café culture, as part of a mixed retail and leisure offer; • Outdoor eating and drinking – the expansion of pavement cafes has been an essential part of the hospitality sector’s response to lockdown. The council aims to develop a permanent approach to outdoor eating and café culture which can create a vibrant atmosphere, whilst managing accessibility and amenity impacts and maintaining a high quality city centre environment. <p>Extending the vehicular access restrictions until later in the evening would:</p> <ul style="list-style-type: none"> • Increase public safety and avoid danger to persons in areas of high footfall for a longer period (until 7pm as proposed), recognising the Council’s duty to protect the public from terrorism; • Reduce the number of vehicles accessing the streets listed above, reducing the level of conflict between vehicles and pedestrians between 5 and 7pm; • Enable the use of some areas of the carriageway or footways as pavement café areas during the early evening (until 7pm), improving the amenities of the footstreet area. <p>This would however have an adverse impact on some stakeholders’ interest as summarised above and detailed further below.</p>

Step 2 – Gathering the information and feedback

<p>2.1</p>	<p>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>
<p>Source of data/ supporting evidence</p>	<p>Reason for using</p>
<p>Public consultation</p>	<p>My City centre engagement – this is an ongoing engagement with residents, businesses and special interest groups. This was an open discussion around what the city centre could look like in the future and was the foundation for the November 2020 Executive report. The format of this engagement was co-designed with York Disability Rights Forum who were consulted on how to run accessible workshops and had British sign language interpreters.</p> <p>Temporary Covid measures – When the temporary Covid measures were introduced, the Council engaged with approx. 450 individuals as well as advocacy groups representing thousands of people with disabilities and/or reduced mobility across the city. An open community brief detailed the main themes and challenges which these changes sought to address, and the summary of conversations with the city’s businesses and representative groups. Andy/ Ben / Katie – Can you insert info on the feedback on the extension to 8pm here?</p> <p>City Centre Access consultation (October 2021) - Following on from consultation on the draft vision for the city centre, the council asked for views on how people want to get to, and move around, the city centre. The aim was to further explore 'emerging ideas' by gathering feedback on key questions, including on footstreet hours, with the following two questions:</p> <ul style="list-style-type: none"> • Following the summer engagement with the public and stakeholders, we are considering making the permanent hours 10.30am to 7pm. Please indicate your view on this proposal. • If you disagree, what time would you prefer it to end?

	Statutory consultation for this proposal - The proposal is to start a statutory consultation process for the proposed change to footstreet hours. The EIA will be updated with feedback and information received through this statutory consultation process.
Research	Andy/ Ben / Katie – was any other research undertaken?
Surveys	Andy/ Ben / Katie – Am I correct in assuming that no traffic/parking surveys have been undertaken for this?

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
Gaps in data or knowledge	Action to deal with this	
Traffic and parking surveys – review of historical data	Review of historic traffic and parking data to be undertaken prior to/during the statutory consultation to assess the level of traffic accessing and parking/loading in the footstreets after 5pm. Limited opportunities to undertake additional surveys as the temporary measures restrict access until 8pm currently.	
Feedback from stakeholders and equality groups	Additional consultation to be undertaken (including through the statutory process), to clearly identify the impacts (positive and negative) of the proposed changes on all stakeholders, specifically engaging with equality groups to inform the development of the proposal, including any mitigation measures and adjustments.	
Identification of parking and loading capacity removed from the footstreet area between 5pm and 7pm	Additional analysis required to estimate the number of parking spaces (including capacity on double yellow lines for Blue Badge holders) and loading areas which would become inaccessible between 5pm and 7pm.	
Additional research on impacts on low income groups and gender	<p>Additional research, analysis and consultation required to assess the potential impact on low income groups, for example considering access to street kitchens and other support mechanisms in the city centre, as well as access to jobs in the city centre (including food deliveries). This will also need to consider access to public transport for low income staff employed in the city centre if hours of work need to be changed as a result of longer footstreet hours (e.g. having to stay at work to receive deliveries).</p> <p>Additional research, analysis and consultation required to assess the potential impact on gender. City Results of the Centre Access consultation (October 2021) show that amongst those who disagreed with the proposed extension of the footstreet hours to 7pm, those with disabilities, blue badge holders, carers, non-cyclists, and females were all significantly more likely to want the footstreet hours to end earlier than the proposed time of 7pm. This needs to be explored further to understand the reasons (which could be safety related).</p>	

Additional research on the impact of loading activity displacement	Additional research, analysis and consultation required to assess the potential impact of loading activity displacement to the outskirts of the footstreet area between 5pm and 7pm and the impact of this displacement on other users, including those with protected characteristics.
Medium and long term impact on stakeholders	<p>Continuous monitoring and engagement with stakeholders to understand the medium and long term impacts of the proposed changes and identify further changes and potential adjustments.</p> <p>Review of proposed/new legislation on pavement cafes (likely to emerge as the deadline of September 2022 approaches).</p> <p>Review of terror threat levels and consideration of adjustment to restrictions if threat level allows.</p> <p>Review of new and emerging technology solutions which could potentially enable a review of restrictions or offer different access solutions in the future.</p>
Research reports and benchmarking	Review of existing research on pedestrianised areas, focusing on hours of operation, their impacts and any mitigation measures and adjustments identified in research. Benchmarking exercise with other towns and cities to understand hours of operation, their impacts and any mitigation measures and adjustments in place.
Development of mitigation measures	Further feasibility work, consultation and detailed design will be required for mitigation measures which may be developed as the proposal progresses.

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.
------------	---

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>The proposals have been identified as having a mixed impact on older people.</p> <p>Positive impacts – As evidenced by the consultation responses, some older people support the proposed changes and would benefit from a mainly car-free footstreet area later in the evening, which means that those who are slower or unsure on their feet benefit from a safer environment. Amongst those who said they were 60 years old or older and responded to the City Centre Access consultation (October 2021), 46% agreed with the proposal to extend footstreet hours to 7pm (44% disagreed). In the same way, younger people, especially young children and families would also benefit from the reduced number of motorised vehicles in the footstreets until 7pm.</p> <p>Negative impacts – Older people are more likely to be living with reduced mobility or a disability and to hold a Blue Badge. They would therefore be more likely to have accessed the footstreets by car after 5pm for access and to park in the city centre (including on double yellow lines for up to 3 hours with a Blue Badge). Restricting the ability to drive and park in these streets until 7pm will increase the distance people with reduced mobility have to travel on foot or using a wheelchair or mobility scooter, making shops and services in the footstreet area less accessible between 5pm and 7pm. The specific issue of access to events, shows, leisure activities, and hospitality venues in the early evening</p>	Mixed: Positive and Negative	Negative – High Positive – Medium

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	has been raised by individuals and groups. This is also applicable to older residents who live in the city centre, older employees who work in the city centre, and families with young children.		
Disability	<p>The proposals have been identified as having a mixed impact on people living with a disability/mobility impairment.</p> <p>Positive impacts (medium) – As evidenced by the consultation responses, some people living with a disability support the proposed changes and would benefit from the reduction in the number of vehicles accessing the footstreet area between 5pm and 7pm, making it a safer, mainly car free, environment for all users.</p> <p>Amongst those who identified themselves as disabled and responded to the City Centre Access consultation (October 2021), 32% of those who said that they had a physical or mental health condition or illness supported changing the footstreet hours to 7pm. This reduced to 30% for those who said they were a carer, and to 17% for those who said they were a Blue Badge holder.</p> <p>Some disabled people have also noted that pavement cafes have, in some cases, improved access to services, for example where hospitality venues without step-free access now offer tables and chairs outside. It was however noted that pavement cafes can also reduce accessibility where they block a footpath, do not have adequate barriers, or reduce access to a dropped kerb.</p> <p>Negative impacts (high) – People living with a disability/impairment are more likely to hold a Blue Badge and to have used the footstreets for access to and to park in the city centre after 5pm (including on double yellow lines for up to 3 hours with a Blue Badge). It is important to note that people living with a mobility impairment or disability but without a</p>	Mixed: Positive and Negative	Negative – High Positive – Medium

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	<p>Blue Badge would also have been able to access the city centre by car between 5pm and 7pm (parking in permitted areas or being picked up/dropped off). Removing the ability to drive and park in these streets between 5pm and 7pm will increase the distance disabled people have to travel on foot or using a wheelchair or mobility scooter, making shops and services in the footstreet area less accessible during these hours. This is applicable to city centre residents and employees as well as other York residents and visitors.</p> <p>This is reflected in the responses to the City Centre Access consultation (October 2021). 58% of those who said that they had a physical or mental health condition or illness disagreed with the proposal to change the footstreet hours to 7pm. This increased to 59% for those who said they were a carer, and to 81% for those who said they were a Blue Badge holder.</p> <p>Feedback from the statutory consultation on the removal of the Blue Badge access exemption and many workshop participants stated that the removal of Blue Badge parking and vehicular access from specific city centre streets would preclude them entirely from accessing the city centre during footstreets hours. They noted that this would mean that they wouldn't be able to access the services available in the city centre and would need to travel to different locations to access the services they require and sometimes have been accessing for a long time. This proposal would extend this situation until 7pm.</p> <p>One respondent to the City Centre Access consultation (October 2021) summarised this as follows: <i>"7pm is too late for disabled people to access shops / cinema / enjoy restaurants early evening etc. / Allows blue badge holders to attend social events, leisure facilities, meetings, taking children to educational courses and more"</i>.</p> <p>The proposed Blue Badge parking measures on the outskirts of the footstreet area (proposed in relation to change in Blue Badge access exemption) would not fully offset</p>		

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	<p>the loss of parking capacity in the footstreet area between 5pm and 7pm, as additional capacity is limited and the distance people will have to walk or use a mobility aid to access the most central areas of the footstreets will increase significantly.</p> <p>For those who are not able to walk these distances, and are not able to use alternative solutions, the removal of the ability to park in the footstreets between 5pm and 7pm has had and will continue to have a significant impact, and could reduce the prospects of them visiting the city centre.</p> <p>The likely displacement of loading activity to the outskirts of the footstreet area between 5pm and 7pm may also make it more difficult for people (including Blue Badge holders) to park on the outskirts of the city centre as delivery drivers use existing parking spaces and on street capacity (including on double yellow lines) to load.</p>		
Gender	Additional research, analysis and engagement required to identify and assess potential impacts.	TBC	TBC
Gender reassignment	No differential impact anticipated.	Neutral	
Marriage and civil partnership	No differential impact anticipated.	Neutral	
Pregnancy and maternity	The proposals have been identified as having a mixed impact on pregnancy and maternity when considering the potential impact on women who may experience pregnancy related mobility impairments, especially in later stages of pregnancy (and	Mixed: Positive and Negative	Negative – High Positive – Medium

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	<p>would potentially be eligible for a Blue Badge). This is applicable to city centre residents and employees as well as other York residents and visitors.</p> <p>Positive impacts – As evidenced by the consultation responses, some people living with a disability support the proposed changes and would benefit from the reduction in the number of vehicles accessing the footstreet area, making it a safer environment for all users. The change would also benefit mothers, fathers and carers of young children as the footstreets would benefit from a significant reduction in motorised traffic between 5pm and 7pm, providing a safer environment for young children.</p> <p>Negative impacts – As noted above, women living with pregnancy related mobility impairments may benefit from being able to access the city centre by car (driving or being dropped off) between 5pm and 7pm. They may also hold a Blue Badge, which would have permitted them to arrive in the city centre between 5pm and 7pm and park on double yellow lines for up to 3 hours. Removing the ability to drive and park in these streets will increase the distance people living with disabilities/impairments have to travel on foot or using a wheelchair or mobility scooter, making shops and services in the footstreet area less accessible between 5pm and 7pm.</p>		
Race and minority ethnic groups	No differential impact anticipated.	Neutral	
Religion and/or belief	<p>The proposals have been identified as having a mixed impact on access to places of worship in the footstreet area between 5pm and 7pm for people who live with reduced mobility or a disability (including those who hold a Blue Badge).</p> <p>The key considerations (both positive and negative) are as those described above for older people and people living with a disability and apply to access to the St Sampson’s</p>	Mixed: Positive and Negative	Medium

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	Centre (Church Street), The Holy Trinity Church (Goodramgate), St Helen's Church (Stonegate), and St Martin le Grand (Coney Street).		
Sexual orientation	No differential impact anticipated.	Neutral	
Other socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	The impact on carers, considering carers who may care for an adult or child living with a disability or impairment (whether or not they are eligible for a Blue Badge), reflects the impacts (both positive and negative) on those living with disabilities, as described above.	Mixed: Positive and Negative	Negative – High Positive – Medium
Low income groups	Additional research, analysis and engagement required to identify and assess potential impacts.	TBC	TBC
Veterans, Armed Forces Community	No differential impact anticipated.	Neutral	
Other	Not applicable	n/a	n/a
Impact on human rights:			

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
List any human rights impacted	<p>The Convention rights applicable are:</p> <ul style="list-style-type: none"> • Article 2 - protects the right to life. In this case, its applicability relates to the requirement placed on the Government to take appropriate measures to safeguard life by making laws to protect people. Public authorities should also consider the right to life when making decisions that might put people in danger or that affect their life expectancy. • Article 8 - protects the right of the individual to respect for their private and family life, their home and their correspondence. The private life part of this right covers things like wellbeing, autonomy, forming relationships with others and taking part in our community. • Article 14 - protects the right to be free from discrimination when enjoying other rights, such as Article 8. <p>It is unlawful for a public authority to act in a way that is incompatible with a European Convention right (unless the authority could not have acted differently as a result of a statutory provision). An interference with a qualified right (e.g. the right to respect for private and family life) is not unlawful if the authority acts in accordance with the law and the interference is necessary in a democratic society. In deciding whether the interference is necessary, the law applies a proportionality test, including whether a fair balance has been struck between the rights of the individual and the interests of the community.</p> <p>Removal of vehicular access to the city centre between 5pm and 7pm (including the removal of Blue Badge access and parking for the same period) could have an impact on people's ability to live independently, attend appointments, enjoy cultural or leisure activities, see people who are important to them, and be part of their community.</p>	<p>Mixed: Positive (Article 2) and Negative (Article 8)</p>	<p>Medium</p>

Equality Groups and Human Rights	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
	<p>The removal of vehicular access from the footstreets between 5pm and 7pm will enable the implementation of hostile vehicle mitigation measures covering the early evening, which will reduce the risk of a terror attack using a vehicle as a weapon. The proposed measures aim to support the early evening economy and support outdoor eating and drinking but the removal of vehicular access between 5pm and 7pm will also protect the right to life of the people working in and visiting York's pedestrianised area during the early evening.</p>		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
-----	---

The initial changes to the footstreets in response to Covid-19 were brought in at pace, under emergency powers, in response to the pandemic. They were accompanied by a number of mitigations which were then reviewed following an in-depth engagement exercise during the summer and autumn of 2020. This has resulted in a number of mitigations being developed. These include:

- The mitigation measures proposed in the main report, focusing on improving the disabled parking offered in the vicinity of the footstreets;
- Continued exemption for access on Goodramgate for the Dial-a-Ride bus service providing access to the St Sampson's' Centre;
- Improved information on disabled parking and accessibility in York city centre (separate report);
- Reviews of existing parking and mobility aid provision as well as longer term developments of gold standard car parks and routes to the city centre (separate report); and
- A feasibility study considering the potential for an accessible city centre shuttle service (separate report).

The engagement undertaken to date is based on the "My" principles that have been developed in York as an open conversation approach, where the debate remains ongoing to make change together. The mitigations developed to date will continue to be considered and refined, whilst the strategic review of parking and access to the city will remain embedded in the engagement approach.

This report includes for the provision of dedicated disabled parking bays in the vicinity of the city centre and improvements to disabled access routes into and around the city centre, through the Active Travel Fund bid (or equivalent funding if the bid is unsuccessful). It is accepted however that these measures do not mitigate fully against the impacts of the removal of vehicular access into the footstreets area by Blue Badge holders.

As the consultation on the proposed change to footstreet hours progresses, additional mitigation measures and adjustments may be identified and will be considered in an updated EIA.

Step 6 – Recommendations and conclusions of the assessment

6.1	<p>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</p>
<ul style="list-style-type: none"> • No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review. • Adjust the proposal – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations. • Continue with the proposal (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty. • Stop and remove the proposal – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed. <p>Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
Option selected	Conclusions/justification
Continue with the proposal	<p>At this stage, the proposed changes are considered a proportionate means of achieving a legitimate aim. The proposal is to start the statutory consultation process, which will be supported by additional assessment work detailed in this EIA. This will inform any future decision on the proposal.</p>

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
See Main Report and EIA on the removal of the Blue Badge access exemption			
Additional actions linked to the change in footstreet hours proposal to be developed as the consultation and assessment work progresses – also see Step 3 of this EIA			

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The proposal is to start the statutory consultation process, which will be supported by additional assessment work detailed in this EIA. This will inform any future decision on the proposal.