

City of York Council
Equalities Impact Assessment

| Directorate: | Place | | |
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| Service Area: | Transport | | |
| Name of the proposal : | Removal of exemptions for city centre access during the Pedestrian Hours – request to undertake Statutory Consultation | | |
| Lead officer: | Helene Vergereau / Darren Hobson | | |
| Date assessment completed: | 10/06/2021 | | |
| 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 Programmes and Smart Place | CYC | Transport |
| Ruhina Choudhury | Senior Solicitor | CYC | Legal |
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Step 1 – Aims and intended outcomes

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| 1.1 | <p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p> |
| | <p>The proposal is to amend the exemptions included in the Traffic Regulation Order (TRO) for York's city centre area.</p> <p>The current TRO prohibits vehicles from accessing the footstreets between 10.30am and 5pm every day, with an exemption for vehicles with a Blue Badge on the streets listed below. Other exemptions apply for emergency vehicles and where access has been permitted by the Highway Authority (waivers).</p> <p>The aim of the proposal is to remove the access exemption for vehicles with a Blue Badge for the streets listed below.</p> <ul style="list-style-type: none">• Blake Street• Castlegate• Church Street• Colliergate• Goodramgate (between Deangate and King's Square)• King's Square• Lendal• St Helen's Square <p>The proposal also includes improvements to Blue Badge parking provision on the outskirts of the pedestrian area.</p> <p>The proposal aims to:</p> <ul style="list-style-type: none">• Increase public safety and avoid danger to persons in areas of high footfall. The removal of the exemption will support the implementation of hostile vehicle mitigation measures to reduce the risk of a vehicle as a weapon attack, by reducing the number of vehicles accessing the streets listed above, enabling the delivery of physical measures to restrict vehicular access during footstreet hours; |

- Reduce the level of conflict between vehicles and pedestrians, particularly in busy periods;
- Enable the use of some areas of the carriageway or footways as pavement café areas during footstreet hours, improving the amenities of the footstreet area.

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| 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 extended from 5pm to 8pm and access exemptions for Blue Badge holders were suspended in the streets listed above. These measures are currently in place until September 2021.</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. This includes the Public Sector Equality Duty, which means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in |

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| | <p>relation to their own employees. 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.</p> <ul style="list-style-type: none"> • Inclusive Mobility Guidance (Department for Transport 2005) |
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| 1.3 | <p>Who are the stakeholders and what are their interests?</p> <p>Key stakeholders for this proposal are Blue Badge holders who were able to access and park in the streets listed above during footstreet hours before the temporary changes were made to the access exemptions. Blue Badge holders' key interests include:</p> <ul style="list-style-type: none"> • Adequate access to the pedestrianised area's shops and services for those living with a disability, impairment or reduced mobility; • Safety; • Amenities available in the footstreets and their accessibility. <p>Other stakeholders include:</p> <ul style="list-style-type: none"> • Other groups visiting the pedestrian area and accessing its shops and services; and • City centre businesses and service providers. <p>Their interests are wide ranging and include suitable access by a range of transport modes (private car, taxi/private hire, deliveries, cycling, walking), safety, and amenities available in the footstreet area.</p> |
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| 1.4 | <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 proposal aims to:</p> |

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| | <ul style="list-style-type: none"> • Increase public safety and avoid danger to persons in areas of high footfall. The removal of the exemption will support the implementation of hostile vehicle mitigation measures to reduce the risk of a vehicle as a weapon attack, by reducing the number of vehicles accessing the streets listed above, enabling the delivery of physical measures to restrict vehicular access during footstreet hours; • Reduce the level of conflict between vehicles and pedestrians, particularly in busy periods; • Enable the use of some areas of the carriageway or footways as pavement café areas during footstreet hours, improving the amenities of the footstreet area; • Improve Blue Badge parking provision on the outskirts of the pedestrian area. |
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Step 2 – Gathering the information and feedback

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| 2.1 | 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. |
| Source of data/ supporting evidence | Reason for using |
| Public consultation | <p>City Centre Access Project - The extent of the footstreet areas has been subject to ongoing discussions for a number of years as part of the City Centre Access project in response to the threat of terrorism, and particularly the use of hostile vehicles as a potential mode of attack. This had led to the approval of a first phase of anti-hostile vehicle measures for the existing permanent footstreet area, but with potential future phases to expand the area of protection.</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</p> |

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| | <p>groups. The principles of the footstreets extension was broadly supported by a majority of respondents to the citywide survey, which was also reflected in the support from residents identifying themselves as disabled. There are tangible benefits for many, in particular blind and partially sighted, children and older people. However, the desire from many for footstreets and spaces to be vehicle free, while other Blue Badge holders request access to the otherwise pedestrianised roads, appear incompatible. These objections were articulated in a petition signed by 1093 people, including 501 York residents, calling for the reversal of the changes.</p> <p>Additional consultation undertaken for this proposal – A consultation took place to review available Blue Badge Parking on the outskirts of the city centre. The engagement followed an open conversation approach, both online and offline, including direct conversations with individuals and advocacy groups and an open invite zoom workshop. This allowed detailed discussions to take place with those who wished to engage in depth, and captured general views through an online survey, which was distributed to nearby residents, city centre businesses, and paper based questionnaires distributed across the city as requested. In total there were 540 survey responses completed, of the completed surveys 270 were completed by Residents who are Blue Badge holders, 65 by residents who are not Blue Badge Holders, 69 by a carer of a Blue Badge Holder, 7 from businesses (including taxi drivers) and 129 skipped the question.</p> |
| Research report | In addition, Disabled Motoring UK, a charity and advocacy group for disabled people, were commissioned to produce an independent review of York's disabled access offer (see Annex A). |

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. | |
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| Gaps in data or knowledge | Action to deal with this | |
| Further feasibility work required for some of the proposed mitigation measures | Some of the proposed mitigation measures require further feasibility and design work as well as specific stakeholder consultation. This will be undertaken before implementation (as described in the main report). | |
| Medium and long term impact on stakeholders | Continuous monitoring and engagement with stakeholders to understand the medium and long term impacts of the changes and identify further mitigation where required. | |

Step 4 – Analysing the impacts or effects.

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| 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. |
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| Equality Groups and Human Rights | Key Findings/Impacts | Positive (+) Negative (-) Neutral (0) | High (H) Medium (M) Low (L) |
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| 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, many older people support the proposed changes and will benefit from the reduction in the number of vehicles accessing the footstreet area, which means that those who are slower or unsure on their feet have a safer environment. Younger people, especially young children and families are also likely to benefit from the reduced number of motorised vehicles in the streets listed above.</p> <p>Negative impacts – Older people are more likely to hold a Blue Badge and to have used the streets listed above for access to and to park in the city centre. Removing the ability to drive and park in these streets 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</p> | Mixed: Positive and Negative | High |

| Equality Groups and Human Rights | Key Findings/Impacts | Positive (+) Negative (-) Neutral (0) | High (H) Medium (M) Low (L) |
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| | <p>the footstreet area less accessible during footstreet hours. This may also be applicable for some families with a Blue Badge holder.</p> <p>For example, for a Blue Badge holder accessing St Sampson's Centre for the over 60s on Church Street, parking on Goodramgate would require travelling just over 110m without a car. Parking on Deangate, where disabled bays are proposed as part of the mitigation measures presented in the main report, will increase this distance to just under 350m. Parking on St Andrew Place would result in having to walk or use a mobility aid for just over 200m. The Dial a Ride vehicle will continue to benefit from access through Goodramgate to the St Sampson's Centre.</p> | | |
| Disability | <p>The proposals have been identified as having a mixed impact on people living with a disability/mobility impairment.</p> <p>Positive impacts – As evidenced by the consultation responses, many people living with a disability support the proposed changes and will benefit from the reduction in the number of vehicles accessing the footstreet area, making it a safer environment for all users.</p> <p>The majority of people who identified themselves as disabled and responded to Our Big Conversation were in favour of the changes to the footstreets (60%), and more respondents agreed with the safety principles behind the footstreets than disagreed.</p> | Mixed: Positive and Negative | High |

| Equality Groups and Human Rights | Key Findings/Impacts | Positive (+) Negative (-) Neutral (0) | High (H) Medium (M) Low (L) |
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| | <p>The in depth discussions with disabled people and advocacy groups have reflected that many people with disabilities and/ or impaired mobility have benefited from the changes to the footstreets. This is particularly the case for those with visual impairments and other who identify as disabled or live with mobility issues, but do not rely on a car and blue badge parking. These users have generally noted the positive impact of the reduction in vehicles in the streets, reducing the risk of conflict.</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. Although 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 – People living with a disability/impairment are more likely to hold a Blue Badge and to have used the streets listed above for access to and to park in the city centre. 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 during footstreet hours.</p> <p>The proposed changes would result in the loss of on street parking for approx. 30 Blue Badge vehicles across the streets listed above. The</p> | | |

| Equality Groups and Human Rights | Key Findings/Impacts | Positive (+) Negative (-) Neutral (0) | High (H) Medium (M) Low (L) |
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| | <p>proposed mitigation measures do not fully offset this 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.</p> <p>For example, for a Blue Badge holder accessing the Post Office on Coney Street, parking on Lendal would require just over 200m without a car. Parking on Blake Street, where disabled bays are proposed as part of the mitigation measures presented in the main report, will increase this distance to just under 350m.</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 those streets has had and will continue to have a significant impact, and will reduce the prospects of them visiting the city centre. As expressed through the consultation, they remain strongly of the view that Blue Badge access should be reinstated immediately.</p> | | |
| Gender | | Neutral | |
| Gender reassignment | | Neutral | |

| Equality Groups and Human Rights | Key Findings/Impacts | Positive (+) Negative (-) Neutral (0) | High (H) Medium (M) Low (L) |
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| Marriage and civil partnership | | Neutral | |
| Pregnancy and maternity | <p>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 impairment to mobility, especially in later stages of pregnancy. They may be eligible for a Blue Badge.</p> <p>Positive impacts – As evidenced by the consultation responses, many people living with a disability support the proposed changes and will 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 streets listed above would benefit from a significant reduction in motorised traffic during pedestrianised hours, providing a safer environment for young children.</p> <p>Negative impacts – As noted above, women living with pregnancy related impairment to mobility may hold a Blue Badge and would have been able to park in the streets listed above to access the city centre. Removing the ability to drive and park in these streets will increase the distance people living with disabilities/impairments have to travel on foot</p> | | |

| Equality Groups and Human Rights | Key Findings/Impacts | Positive (+) Negative (-) Neutral (0) | High (H) Medium (M) Low (L) |
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| | or using a wheelchair or mobility scooter, making shops and services in the footstreet area less accessible during footstreet hours. | | |
| Race | | Neutral | |
| Religion and belief | <p>The proposals have been identified as having a mixed impact on access to places of worship in the footstreet area for people who live with reduced mobility or a disability and have 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 Centre (Church Street), The Holy Trinity Church (Goodramgate), St Helen's Church (Stonegate), and St Martin le Grand (Coney Street).</p> | Mixed: Positive and Negative | Medium |
| Sexual orientation | | 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, reflects the impacts (both | Mixed: Positive | High |

| Equality Groups and Human Rights | Key Findings/Impacts | Positive (+) Negative (-) Neutral (0) | High (H) Medium (M) Low (L) |
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| | positive and negative) on those living with disabilities, as described above. | and Negative | |
| Low income groups | | Neutral | |
| Veterans, Armed Forces Community | | Neutral | |
| Other | Not applicable | | |
| Impact on human rights: | | | |
| List any human rights impacted | No human rights have been identified as impacted | | |

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.

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| <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

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| 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? |
| <p>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 new mitigations being developed. These include:</p> <ul style="list-style-type: none">• 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;• 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; and• A feasibility study considering the potential for an accessible city centre shuttle service. <p>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. Working collaboratively we can continue to improve York's accessibility offer.</p> | |

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. | | | | |
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| Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column. | <table border="1"><thead><tr><th>Option selected</th><th>Conclusions/justification</th></tr></thead><tbody><tr><td>Continue with the proposal</td><td><p>The proposed changes are considered a proportionate means of achieving a legitimate aim. As presented above and in the main report, the aims of the proposal are to:</p><ul style="list-style-type: none">• Increase public safety and avoid danger to persons in areas of high footfall, supporting the implementation of hostile vehicle mitigation measures to reduce the risk of a vehicle as a weapon attack;</td></tr></tbody></table> | Option selected | Conclusions/justification | Continue with the proposal | <p>The proposed changes are considered a proportionate means of achieving a legitimate aim. As presented above and in the main report, the aims of the proposal are to:</p> <ul style="list-style-type: none">• Increase public safety and avoid danger to persons in areas of high footfall, supporting the implementation of hostile vehicle mitigation measures to reduce the risk of a vehicle as a weapon attack; |
| Option selected | Conclusions/justification | | | | |
| Continue with the proposal | <p>The proposed changes are considered a proportionate means of achieving a legitimate aim. As presented above and in the main report, the aims of the proposal are to:</p> <ul style="list-style-type: none">• Increase public safety and avoid danger to persons in areas of high footfall, supporting the implementation of hostile vehicle mitigation measures to reduce the risk of a vehicle as a weapon attack; | | | | |

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| | <ul style="list-style-type: none"> • Reduce the level of conflict between vehicles and pedestrians in the footstreets, particularly in busy periods; • Enable the use of some areas of the carriageway or footways as pavement café areas during footstreet hours, improving the amenities of the footstreet area. <p>The proposal also aims to mitigate some of the negative impact on Blue Badge holders by improving disabled parking provision on the outskirts of the pedestrian area. This will be implemented alongside other mitigation measures as listed below:</p> <ul style="list-style-type: none"> • 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; • 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; and • A feasibility study considering the potential for an accessible city centre shuttle service. |
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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. | | | |
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| Impact/issue | Action to be taken | Person responsible | Timescale |
| Disabled parking provision on the outskirts of the pedestrian area | Additional work to be undertaken to confirm the feasibility and deliver improved disabled parking provision on the outskirts of the pedestrian area | Helene Vergereau / Darren Hobson | Before the permanent changes are enacted (if the decision is taken to do so) |
| Accessibility information | Provision of improved information on disabled parking and accessibility in York city centre | Andy Kerr / Julian Ridge | Dec 2021 |
| Quality and accessibility of parking (car parks), mobility aids, and routes to the city centre | 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 | Andy Kerr / Julian Ridge | Dec 2021 |
| Accessible city centre shuttle service | Undertaking a feasibility study considering the potential for an accessible city centre shuttle service. | Dave Atkinson | Dec 2021 |

Step 8 - Monitor, review and improve

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| 8. 1 | <p>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?</p> |
| | <p>The impacts of the proposal will continue to be monitored through the following activities:</p> <ul style="list-style-type: none">• Ongoing liaison with blue badge holders;• Ongoing consultation and liaison with communities of interest;• Continuous review of the impact of highway measures, changes to government guidance, and compliance with equalities; guidance, and implement the mitigations set out in the report;• Ongoing Business Community Engagement; and• Undertake a strategic review of York's parking and access offer. |