

# Midlothian Council Equality Impact Assessment Form



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**Lead contact:**

Ricky Moffat / Neil Dougall

## Section A: Introduction

### 1. Title of policy, procedure or function being assessed

Parking in Midlothian (enforcement)

### 2. Divisions/organisations/groups involved in doing this Equality Impact Assessment

Lindsay Haddow, Dave Kenny, Ricky Moffat

### 3. Date started:

27/07/15

### Date completed:

27/07/15

## Section B: Information

### 4. Please describe the Policy, Procedure or Function you are impact assessing

Police Scotland has indicated it is to withdraw the traffic warden service with effect from April 2016. However, legally Police Scotland will retain the responsibility to enforce parking in Midlothian until, and unless decriminalised parking was introduced.

Currently in a partnership between Midlothian Council and Police Scotland, one traffic warden is provided, with the Council contributing towards the cost.

This arrangement is to be discontinued when decriminalised parking is introduced, or sooner.

Midlothian Council is to consider the option to apply for 'decriminalised parking' via The Scottish Government. This would allow the Council to take responsibility for the enforcement of existing and future traffic regulations and thereby ensure so far as possible that illegal parking does not cause road safety issues, obstruction and access issues.

**5. What information and consultation data do you have to inform your assessment? What does it tell you?**

This is an issue that is affecting all Councils within Scotland who do not already have decriminalised parking powers. The Council has had many complaints about safety, access and misuse of disabled parking spaces in the period where the reduced traffic warden service has been running. This would be aggravated should no service at all be carried out.

The choices that are available in light of Police Scotland's decision are therefore two fold; no enforcement, or enforcement through the introduction of decriminalised parking.

Given the issues that have been raised to date no enforcement is not considered a sustainable option by officers.

Decriminalised parking would ensure that existing traffic restrictions can be enforced. In addition it would ensure that if and where there is an identified need for additional restrictions or changes to existing restrictions these could be adequately enforced.

**6. Do you need more information or more consultation/engagement data?**

- Do you need anything more:
  - i. to do this Equality Impact Assessment (EQIA)
  - ii. to monitor or assess, in future, the impact of the policy/procedure or function you are EQIAing on people with different equalities characteristics
- Lack of data is not a sufficient reason to conclude there is no impact. It is insufficient to state that a policy will affect everyone equally without having considered the different barriers some people may encounter.

The proposal to consider the introduction of decriminalised parking does not affect existing legal traffic regulations. What it would do is allow for those restrictions to be suitably enforced. Restrictions are placed where they are considered necessary to address road safety issues, provide suitable parking e.g. for blue badge holders and to ensure access points to public transport are not compromised. In future, where a traffic regulation order is to be promoted they will continue to be the subject of appropriate consultation. Whichever option is taken (as identified in 5 above) monitoring will continue in relation to the impact on road users and reports provided to Council as necessary

**Section C: Assessment**

Midlothian Council equality impact assesses on **all** of the characteristics in the shaded area below, so you should consider all of these in your assessment. If you want you can consider other groups as well.

**Race** (this includes ethnic or national origins, colour and nationality)

**Disability** (e.g. physical disabilities, sensory impairments, learning disabilities, mental health conditions or long-term illnesses)

**Sex**(male/female)

**Age** (all ages)

**Sexual Orientation** (gay man, gay woman/lesbian, bisexual, heterosexual/straight)

**Religion or belief** (including having no religion or belief)

**Pregnancy and maternity** (having just had a baby or being pregnant)

**Gender reassignment** or transgender status (a person who is proposing to undergo is undergoing or has undergone a process to change their sex)

**Marriage and Civil Partnership**

**People experiencing poverty or at risk of poverty:** (poverty may be simply defined as not having enough money to meet one's basic daily needs or to have the things that most people in the UK take for granted).

**As you answer questions 7i. to 7iv. over the page:**

**a) Think about the policy, practice or function you are assessing and**

- people with the above characteristics
- people associated with them (e.g. a parent or carer)
- people mistakenly assumed to have the above characteristics

Remember to consider impacts on staff as well as communities and customers.

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**b) Consider whether the above people are likely to have different needs, or be affected in different ways by what you are doing/proposing. e.g.**

- People may need, or benefit from, information provided in a particular format, like large print or easyread.
- A queuing system which relies on people standing for long periods will make it very difficult for some people to use the service.
- Charging more for a service is likely to affect people from several of the groups in the shaded area above, as on average they have a lower income.
- Targeting an area of high poverty could leave people experiencing poverty outside the area even worse off in comparison

**c) Consider the General Equality Duty requirements to pay due regard to the need to:**

- eliminate discrimination, victimization, harassment or other local conduct that is prohibited under the Equality Act 2010 in relation to the characteristics listed in shaded area at the top of this page (except poverty)
- advance equality of opportunity between and foster good relations between people who share a characteristic in the shaded area and those who do not (except marriage and civil partnership and poverty)

7i. Note any positive impacts on the above equalities groups

**Disabled persons**

The largest positive impact (should decriminalised parking be introduced) is that disabled persons parking spaces will be protected from misuse by non disabled drivers.

Access to footways, crossing areas will be improved for those less able to walk to a different locality or are sight impaired.

**Gender - Female**

Enforcement of time restricted parking in shopping areas, will increase the ease of parking for local shopping (shopping is carried out more by females than men) This will also make loading shopping into vehicles easier by parking closer to the shops.

**Pregnancy / Maternity**

As above

**Age – elderly**

As above

**Age - children**

Parking obstructing safe crossing places, reducing visibility or obstructing footways impacts on children more than adults as they are less aware of risky situations and more likely to come to harm. This will be reduced.

7ii. Note any negative impacts on equalities groups

Robust enforcement of traffic regulations could result in fines being applied which may impact on low income groups. However, there are considered sufficient free parking opportunities available in towns to satisfy parking needs and therefore negate the need to park illegally.

**7iii. How significant would this negative impact be, and what kind of numbers would be affected?**

It is not considered significant.

**7iv. Note any opportunities for making a positive impact on equalities groups.**

This is an opportunity to improve access for disabled people.

### **Section D: Actions and Outcomes**

Questions 8 and 9 below ask about actions which have been taken, or will be taken **as a result** of this Equality Impact Assessment (EQIA). Any pre-existing actions should be included in earlier sections.

**8. Note any actions you will be taking as a result of this EQIA:**

Think about what you can do to:

- minimise or remove any negative impacts, and
- maximise the opportunities for positive impacts

A further EQIA will be undertaken at the business case stage

**9. Please note any actions you have already taken as a result of this EQIA here.**

None.

**10. How will you track/monitor that the actions you mentioned in 8. have been achieved?**

e.g. by adding them to a work plan, service plan etc.

Any actions arising from a further EqiA will be tracked through Covalent, the Council's performance management system.

**11. If you have decided not to take any action please note why this is, and any justification, here.**

A significant negative impact, even if it affects only a small number of people, should be addressed.

There is no substantiated negative impact at this stage.

**12. Is a more detailed assessment recommended?**

No.