

APPENDIX B:

West End Project

Equality Impact Assessment

Camden Council

What is an Equality Impact Assessment?

An Equality Impact Assessment (“EIA”) is a way of analysing a proposed organisational policy or decision to assess its effect on people with protected characteristics covered by the Equality Act 2010*. To meet the Council’s statutory duty the EIA should also address issues of advancing opportunities and fostering good relations between different groups in the community.

The Council has a strong tradition of ensuring equality both in terms of service delivery and within its workforce. To help us maintain this tradition it is essential that you start to think about the EIA process before you develop any new activity or make changes to an existing activity. This is because the EIA needs to be integral to service improvement rather than an ‘add-on’. If equality analysis is done at the end of a process it will often be too late for changes to be made.

The courts place significant weight on the existence of documentary evidence of compliance with the Public Sector Equality Duty* when determining judicial review cases. Having an EIA as part of the report which goes to the decision makers and making reference to the EIA within that report helps to demonstrate that we have considered our public sector equality duty and given “due regard” to the effects the decision will have on different groups.

The EIA must be considered at an early stage of the formation of a policy/decision and inform its development, rather than being added on at the end of the process. The EIA form should be completed and updated as the policy / decision progresses and reviewed after the policy or change has been implemented.

If a staff restructure of organisational change is identified as necessary following the review of an activity then an EIA needs to be completed for both stages of the process, i.e. one when the activity is reviewed and one when the restructure or organisational change is undertaken.

Please note all sections must be completed. However, the obligation is to have due regard and it may be that while an issue requires the completion of an EIA, the matters at hand may not lend themselves to some of the obligations, for example fostering good relations. As long as this has been properly considered it is legitimate to conclude that this cannot be applied in a particular case.

*Please read the notes at the end of this document.

Name of proposed decision/policy being reviewed:

Implementation of the West End Project

Question 1

What is changing and why?

If the issue is going for decision, e.g. at Cabinet meeting, what are the decision makers being asked to decide? If you are reviewing a policy what are its main aims? How will these changes affect people?

What is changing and why?

The West End Project, which was approved at full cabinet in January 2015, involves traffic and public realm improvements in the Tottenham Court Road, Gower Street / Bloomsbury Street and New Oxford Street area. The scheme covers a significant part of the Bloomsbury Ward and a small part of the Holborn and Covent Garden Ward.

Included in the papers approved at full cabinet was the EIA that was produced for the scheme at the time of presentation. It is noted as appendix J. This EIA seeks to both review the contents of the appendix J and given the time elapsed between the approval at Cabinet and the construction of the scheme to provide an updated assessment.

The scheme covers physical and temporal access to the streetscape. Therefore pedestrians, including wheelchair users and people who have pushchairs, as well as road user groups including cyclists, bus users, car users, taxi drivers and passengers are likely to be affected by the proposals. Residents who live in the areas or nearby may also be affected by some temporary noise/disruption during the implementation phase. Although the impact will be universal to all groups, some aspects of the proposals could have a greater impact on following protected groups: **age** and **disability**.

This Equality Impact Assessment (EIA) is being carried out on the West End Project in order to give due regard to the needs set out in section 149 and in particular the need to promote equality of opportunity, the potential positive and negative impacts of the proposals on groups with protected characteristics, as defined by the Equality Act 2010, and as part of the Council's commitment to reducing inequality, which is reflected in both the Camden Plan and the Camden Transport Strategy. The assessment will set out actions that will or may be taken to mitigate against, or minimize, any negative impacts.

Background

The West End Project includes the following changes:

Tottenham Court Road (TCR)

- Make Tottenham Court Road two-way for buses and cyclists only (from 8am-7pm, Monday to Saturday) with local access for cars, taxis and loading on short sections of Tottenham Court Road via side roads.
- Wider pavements with trees and safer pedestrian crossings including new diagonal crossings at the junction of Tottenham Court Road and Oxford Street.
- An upgraded public space between Percy Street and Windmill Street with trees and seats, and improvements to Whitfield Gardens, including seating, planting and restoring the mural.
- Raise the road to the same level as the pavement, in certain areas, to slow traffic.

- Bus passengers would be able to arrive and leave from Tottenham Court Road.
- Improved lighting.

Gower Street

- Make Gower Street and Bloomsbury Street two-way for all vehicles.
- “Stepped track” cycle lanes in both directions (which would require some sections of pavement to be slightly narrowed).
- De-clutter pavements and provide safe and convenient pedestrian crossings.
- Move all bus routes to Tottenham Court Road.

New Oxford Street

- Provide safe and direct pedestrian crossings.

Public spaces

- A new park on Alfred Place, new plaza for St Giles - next to Centre Point, and a new public space at Princes Circus - the junction of Shaftesbury Avenue and High Holborn.
- Improved public spaces on Tottenham Court Road - Whitfield Gardens and "Windmill Square" (between Percy Street and Windmill Street) – and on Huntley Street.
- “Mini-parks” would be created at Bedford Avenue, Bayley Street and Capper Street. These streets would be closed to all traffic (except cyclists) at the Tottenham Court Road end, with new seating, cycle parking and trees.

Cycling

- Additional streets would allow cycling in both directions to improve routes through the area and encourage people to cycle. The two-way cycling streets would be: Gower Place, Gower Street/Bloomsbury Street, Huntley Street, Warren Street, Tottenham Street, Store Street, Ridgmount Gardens, Bedford Avenue, Bedford Square, Endell Street, Tottenham Court Road, High Holborn (part) and Shaftesbury Avenue.

Buses

- Quicker and more reliable bus journeys for most bus routes by moving all bus routes from Gower Street to Tottenham Court Road, so that bus passengers would be able to arrive and leave from Tottenham Court Road.

Taxis and general traffic

- Moving some taxi ranks and relocating other ranks.
- Local access for cars, taxis and loading would only be allowed on short sections of Tottenham Court Road (via side streets) from 8am to 7pm Monday to Saturday.
- Charing Cross Road northbound, between Cambridge Circus and St Giles Circus, would be for buses and cyclists only (except for access via side streets).
- Bedford Avenue, Bayley Street and Capper Street would be closed at their junctions with Tottenham Court Road to all traffic (except cyclists).
- There would be less traffic in the area as a whole but some streets would see an increase in traffic.

Parking and loading

- Some parking spaces have been removed from side streets or relocated to provide areas for loading, taxi ranks and cycle parking including five residents’ bays, three Blue Badge disabled bays and 57 pay and display bays. Parking surveys show that their use is very low.
- Loading hours have been altered across the area.

Desired outcomes

It is anticipated the West End Project once fully implemented would result in improvements to the traffic and public realm in the Tottenham Court Road, Gower Street / Bloomsbury Street and New Oxford Street area, resulting in the following benefits:

- Reduced traffic dominance
- Increased road safety
- Improved air quality
- Shorter bus journey times
- Improved bus journey time reliability
- Wider pavements and reduced street clutter providing more space for powered wheelchairs and electric scooters
- Improved pedestrian crossings
- Better lighting reducing crime and fear of crime
- Improved public spaces helping to promote social inclusion and liveability.

The desired outcomes of the West End Project are aligned to the key objectives of Camden's Transport Strategy by:

- Reducing traffic to improve air quality
- Improving road safety for the most vulnerable road users; pedestrians and cyclists
- Encouraging sustainable healthy travel
- Developing high quality accessible public space and street and
- Supporting Camden's growth and regeneration, enhancing economic and community development.

The project aims to support the Council's strategic objective as set out in the **Camden 2025 plan** which states

That **Camden should be a clean**, vibrant and sustainable place

- No one in Camden should experience poor health as a result of the air they breathe.
- Walking, cycling and public transport will be the best way to get around the borough.

How will the changes affect people?

The focus of the Camden Transport Strategy 2019 is to enable a switch from motor traffic use to sustainable, healthy, active travel choices by prioritising walking, cycling and public transport and reducing motor vehicle ownership and use where possible. Addressing the way people travel has the potential to significantly and positively impact upon equality, particularly improving health and reducing health inequalities, as its implementation will affect all those who live, work, study and visit Camden. The implementation of the West End Project supports the overarching Camden Transport Strategy.

Road transport is the main source of nitrogen dioxide (NO_x) and a significant contributor to particulate matter (PMs) in Camden, two of the most dangerous pollutants which contribute to the premature death of nearly 10,000 people a year in London. While Camden's monitoring sites show that we are not in breach of current UK objectives for PMs, at a more localized level in streets within the West End Project area this is not the case with levels exceeding the UK objectives. The interventions implemented under the West End Project will have a positive effect towards meeting those targets. All Councils have a legal duty to reduce pollution whatever the levels. Camden also committed to meeting World Health Organisation (WHO) targets on air quality by 2030. WHO targets are stricter than EU standards on PMs.

Air quality has a particularly detrimental impact on children, affecting lung development which makes them more susceptible to infection and disease as they grow. They are also more vulnerable to polluted air than adults. 87 of the borough's 112 schools are located in areas that are in breach of EU NO₂ levels, and 12 of the worst 100 schools in London for NO₂ concentrations are also in Camden. Older people who may be more susceptible due to existing illnesses, and pregnant women, are also more vulnerable. People are also twice as likely to be affected by pollution in areas of higher

deprivation as these areas have poorer air quality: 70,000 Camden residents are living in areas which are among the top 30% most deprived and the top 30% in terms of average NO2 concentrations.

Inactivity is another area requiring urgent attention, with both younger and older people the groups who are least active in Camden. An inactive lifestyle is a leading cause of a range of different diseases and disability (WHO), potentially also resulting in an increased likelihood of obesity which brings further health risks. The UK Government's Chief Medical Officer's (CMO) recommendation for minimum physical activity levels is 150 minutes a week for adults and one hour a day for children. One in five Camden adults is inactive, taking less than 30 minutes of physical activity per week. Women are far less active than men, and people over 70 years are the least active age group, with nearly 8 in 10 older people not meeting the recommended minimum. Just one in eight 15 year olds meet the required levels of 60 minutes of activity a day, with 68% categorised as sedentary. Growing obesity among young people already manifests itself by Year 6. However, active travel is likely to be *the* main way that Londoners meet their physical activity needs, and, according to the UK Faculty of Public Health, active travel *is the only viable option for significantly increasing physical activity* levels across London's whole population. Active travel is also much more accessible than car travel in Camden, with only 35% of households in the borough having access to a car. Being active through active travel will also help to ensure health and mobility into older age, particularly in the context of an aging population, and reduce isolation. However, we also need to consider the barriers to making the switch: higher levels of car ownership are linked to decreasing levels of physical activity, but also the perceived danger of traffic volumes and lack of high quality facilities is a major barrier.

Heavy traffic has a wide range of effects including restriction on the independence, particularly of children and young people as well as those with a disability. Heavy traffic also reduces the likelihood of healthy active travel which could deliver health benefits. It also reduces social interaction and increases isolation as people fear going out. Evidence shows that heavy traffic and fumes and pollution are the two biggest barriers to people walking more.

Carbon emissions, to which road based transport is a major contributor, and climate change result in extreme weather incidents, including heatwaves, drought and flooding, affecting food and water security, disease risk and impacts on the economy. Older people and children are particularly vulnerable to extreme heat.

The improvement of Camden's transport network and streets and ensuring sustainable and inclusive travel are considered to have an overall positive affect on all residents including protected groups.

Car ownership

Over 80% of the households in Bloomsbury ward do not have access to a car and 75% of the households in the Holborn and Covent Garden ward. This is significantly higher than the Camden average of 69% and supports the objectives of the project to improve the environment for walking, cycling and public transport use. The number of registered vehicles in Bloomsbury has dropped by 29.8% between 2010 and 2020 with the current number of vehicles standing at just under 1000.

Traffic Levels

One of the key outcomes of the West End Project is to reduce traffic levels in the area to help improve air quality to assist in meeting air quality targets. Ongoing traffic surveys show that traffic volumes in the area have remained fairly constant from 2015 until 2018. Figures show a sharp decrease in 2019 of around 30% which is broadly in line with the predicted reduction. The predicted traffic level of reassignment and reduction was 23%. The sharp decrease in 2019 would be attributable to the introduction of the interim operation of the road. At this time the road had one lane of unrestricted traffic northbound and a contraflow bus lane southbound. Prior to this it was two lanes northbound. Traffic levels on Gower Street (which remained southbound at that time) have remained fairly constant throughout up to 2018 and there was a smaller decrease in 2019 which is probably attributable to construction works happening at that time and bus routes moving from Gower Street into Tottenham Court road.

What are the decision makers being asked to decide?

To approve the implementation of traffic restrictions via Traffic Management Orders necessary to make the changes to traffic on Tottenham Court Road and Gower Street described above, in summary making Tottenham Court Road two-way for buses and cyclists only (from 8am-7pm, Monday to Saturday) with local access for cars, taxis and loading on short sections of Tottenham Court Road via side roads and making Gower Street and Bloomsbury Street two way for all traffic.

The conclusion of this assessment is that any remaining negative effects on protected groups (the elderly and disabled) or failures to meet the need to promote equal opportunity for these groups are outweighed by the benefits of the scheme, bearing in mind in particular that the restrictions are in accordance with the road user hierarchy in Policy 1.a and other key policy commitments in the Camden Transport Strategy 2019, that permitting taxis to use the full length of Tottenham Court Road would increase the volume of traffic on Tottenham Court Road by around 25%, increase levels of air pollution and road danger and would therefore worsen conditions for walking and cycling and reduce journey time benefits for buses.

Notes to Question 1

- Summarise briefly and precisely just what the decision is about. In particular what changes will happen if this decision is agreed and put into effect? What happens now and what will happen in the future? What will be different?
- **Do not cut and paste the report or policy** but concisely restate it, considering equalities issues directly against the facts
- **Focus on the impacts on people** e.g. the users of any facility or service.

Question 2

Who will be affected by this decision and how?

In particular do those from protected groups benefit or will they experience specific and disproportionate impacts? Will there be any direct or indirect discrimination?

How will protected groups be affected by the West End Project?

It is considered that all groups will benefit in some way from the policies below. Particular affects relating to individual protected groups are identified and discussed. The protected group characteristics in Camden comprise the following:

- Age;
- Disability;
- Gender reassignment;
- Pregnancy and Maternity;
- Race;
- Religion/Belief;
- Sex;
- Sexual Orientation.

This section outlines the characteristics of the protected groups in Camden and any data on how transport is accessed by these groups.

Age

Camden has a resident population of approximately 246,200 (2016) which is predicted to increase by nearly 2,000 additional people per year up to 2031. Almost half of Camden's population is made up of people aged 25-49, with 44.8% classified as working age. There is a smaller percentage of all other age groups with 13.4% of the population made up of those aged 50-64 and 11.9% made up of those aged 19-24. Camden has a smaller percentage of older people aged over 65 at 10.9% with the younger population (up to 24) making up a higher percentage of 16.1%. Predictions are that older people will make up a larger proportion of Camden's population in the future, so we need to future proof the borough to meet the needs of older people but also ensure that they remain in good health and enjoy independent mobility as they age.

The health of the young and the old are impacted disproportionately from the effects of poor air quality levels as well as fear of road danger and traffic which can result in isolation and exclusion. Inactivity is also a concern: these age groups are the least active, so more active lifestyles will improve health among these groups, reducing health inequalities.

Just over 30% of children's journeys are made by car (as a passenger) however a bigger proportion, 40%, are made on foot or by bike and a further 27% on public transport. The group who drive most are those aged 49 to 59, with 40% of their journeys being driven. 40% of trips taken by people over the age of 65 are also driven, either as a driver or a passenger. However, across all age groups, the majority of journeys are not made by private car. This data is for the whole of London as we don't have Camden specific data. As car ownership in the borough, and in Central and Inner London is much lower than outer London, and public transport availability is much higher, these figures are likely to overestimate actual vehicle use in Camden. Indeed in Inner London, public transport and walking are by far the most used modes, and in Camden only 13% of residents' trips are driven, compared to walking at 42% and 39% by public transport. Data also shows that 70% of Camden's driven trips are under 5km, with 40% under 2km (Travel in London Report 10, 2018). <http://content.tfl.gov.uk/travel-in-london-report-10.pdf> TfL's Walking

Potential and Cycling Potential reports also show that a significant proportion of driven trips in Camden could be switched to these modes based on a range of factors including age, journey distance, journey purpose, and whether they are carrying loads. It is therefore reasonable to assume that many of Camden's current driven trips are not essential and/or could be made by other more sustainable modes.

Camden is in the top 5 London boroughs for young residents with 29% of the borough's population falling within this category. Walking is the most common type of transport used by younger Londoners (aged under 25); the vast majority (97 per cent) walk at least once a week [11].

After walking, travelling by bus is the most common transport option for both all and younger Londoners; 59 per cent of all Londoners use the bus at least once a week compared with 66 per cent of those aged under 25. The bus is even more popular among 16 to 24-year-olds, with 76 per cent using them each week [11].

According to data from 2011 census:

- 16% of the population of Bloomsbury ward is under 16 and 14% is over 60.
- 16% of the population of Holborn and Covent Garden ward is under 16 and 14% is over 60.

The Camden average for the proportion of the population that is under 16 is 16% and over 60 is 15% and so the proportion of older residents in the West End Project area is slightly lower than the borough average. The proportion of under 16s in the West End Project area is in line with the borough average.

Disability

From the 2011 census, 12% of the population of Bloomsbury ward self-reported as having an activity-limiting illness and 16% of the population of Holborn and Covent Garden ward. This compares with a Camden average of 14%. Across the whole project area, the proportion of disabled people is similar to the borough average.

Disabled people drive cars less and are less likely to have one in the household, but nonetheless the most common mode of transport for disabled people is a car driven by someone else (Disability Rights Commission 2003). Providing adequate parking for Blue Badge holders in appropriate locations is therefore important to ensure that disabled people can access the services and goods they need.

Across London walking is the most used mode, with 31% of trips undertaken on foot by disabled people which is equal to those without a disability. Bus services (including trams) are the second most prevalent mode at 22%, this is much higher than those who are not disabled (14%). At 15%, the proportion of disabled people who cycle is also similar to the able-bodied population. The amount of trips driven are actually lower than those without a disability at 14% and 23% respectively, and trips as a passenger are also about the same as able-bodied people. In addition, only 3% of trips made by disabled people are by taxi. Prioritising walking, cycling and public transport will therefore also support those with a disability.

The concerns raised by people with a disability during the consultation and engagement activities for the most recent Camden transport strategy, (for example, from Camden's Disability Oversight Panel) raised similar concerns about public transport, seating and conflict with cyclists. They also raised issues around street clutter, including trailing cables from electric vehicle charge point infrastructure. Measures 3d, 3f and 3h (under Objective 3, to improve accessibility and inclusion) were amended to respond to these concerns.

Potential negative effects of the traffic restrictions have been identified in particular on some elderly and disabled people who have mobility impairments. It is important to take into account The Inclusive Transport Strategy published by the Department for Transport in July 2018. This

states at paragraph 4.17 that taxis "play an essential role in enabling disabled people to complete door-to-door journeys where other forms of transport may not be available or accessible" ..

Consultation

A public consultation on the West End Project proposals was undertaken between 9 June and 1 August 2014. Information on protected groups was not collected as part of the consultation, with the exception of disability as it was considered that the proposals did not have an adverse impact on the other protected groups. Of the 1357 people that responded to the consultation, 3% said they did consider themselves to be disabled, 47% said they did not and 50% did not answer the question.

The public consultation on the West End Project showed that 58% of people were against proposals to restrict taxis on Tottenham Court Road due to reducing access for older people, disabled people and people with heavy shopping as well as concerns there would be more taxis on side streets.

Other organisations consulted included Guide Dogs for the Blind, Royal National Institute of Blind People, Disability In Camden, Visually Impaired in Camden, Camden Carers' Voice and Transport for All.

Of these organisations, Transport for All was the only one that responded and expressed the concern that Tottenham Court Road could become a no-go zone for people with reduced mobility. They also asked for exemptions to the restrictions for Blue Badge holders.

Camden's Mobility Forum were also consulted and were concerned about access to the UCLH sites being impeded and Taxicard journeys taking longer or being more expensive.

Objections to the notice of making in April 2020

Objections in response to the Notice of Proposals were received from the London Taxi Driver's Association dated May 2020 and from United Cabbies Group dated 28 June 2020.

The LTDA drew attention to the fact that London Taxis are fundamentally distinctive to Private Hire Vehicles and are a crucial element of London's public transport mix. They pointed out that businesses along the road will be less accessible as a result of the changes – particularly those that sell large items which require transportation to be moved (the letter also mentions luggage). They pointed out that road traffic accident data did not differentiate between PHVs generally and black cabs. (This is not correct in respect of collision data collected by MPS since 2018.) Reliance was placed on the absolute number of accidents involving taxis (not the likelihood per km travelled of being involved in a collision) to argue that taxis are comparatively safe. They submitted that the comparatively low number of taxis likely to use the street (160 per hour) would not compromise safety or increase congestion on the street and would also have little impact on bus journey times. Further, they argued that the scheme does not take into account the needs of those with restricted mobility or who are elderly, who require the ability to use a taxi, the only form of transport on London's roads which are fully accessible, as well as guide-dog friendly. A specific point was raised about patients leaving UCH not being able to easily hail a taxi (A new taxi rank has been provided on Grafton way, there is a rank within the curtilage of the hospital, Taxis are allowed across the front of the hospital under an agreement with TfL as this section is part of the Transport for London network and they could however be picked up by a pre-booked taxi). They also relied on the requirement since January 2018 for taxis newly licensed to be zero emission capable ("ZEC") and the Mayor's ambition for all London taxis to be ZEC by 2033. Reference was also made to alleged flaws in the original consultation in 2014 (permission was refused to LTDA to bring a judicial review on this basis after a hearing on 1 July 2015).

UCG argued that there is low public confidence in safely travelling on buses currently and disabled and vulnerable passengers are at a serious disadvantage with the reduction in capacity

on the tube and bus network. They made the point that taxis are permitted in bus lanes (under TfL's bus lane policy). They asked: How will a taxi take a passenger following treatment from Macmillan Cancer Centre? (The Macmillan Cancer centre is in Huntley street. The road outside the centre has not changed under this scheme) They also asked: For someone leaving the maternity entrance on Grafton Way who wishes to travel north west how do you envisage this being possible? (Northwest travel from the maternity hospital has not changed. The route would remain from the maternity hospital along Grafton Way, turn right into Tottenham Court Road and continue north into Hampstead Road) UCAG also relied on the distinctiveness of taxis, their regulatory regime and the market in which they operated and submitted that if a public authority prohibits black cabs from travelling in a bus lane, it is guilty of failing to take steps "*to meet the needs of persons who share a relevant protected characteristic [e.g. the elderly and the disabled] that are different from the needs of persons who do not share it*", contrary to its statutory duty under section 149(3) of the Equality Act 2010

Taxicard and Freedom Pass data

The London Taxicard scheme provides subsidised taxi transport for people who have serious mobility or visual impairment and who have difficulty using public transport.

There are two Freedom Passes; one for people aged 64 or above and one for disabled people under 64. The Freedom Pass allows people free travel across London and free local bus journeys nationally. As a result of recent changes the older persons freedom pass is the subject of change of use that would restrict travel times

The Camden Transport Strategy Equalities Impact Assessment states that, on the whole, older people are less likely to travel than younger people; the number of journeys made declines with age and the trips get shorter, due to changing needs, income and disability. Older people's travel purposes also differ from younger people, mainly due to retirement from work. Older people are also more dependent on public transport and walking, particularly women – who also comprise the majority of older people. Therefore transport strategies should address improvements to the walking environment and public transport.

For older people in Camden, transport is one of the biggest issues. Reliable and accessible transport was often cited as a crucial element for quality of life, enabling people to visit friends and families and take part in activities. The Blue Badge, Freedom Pass and Taxicard schemes were appreciated by many as a lifeline (London Borough of Camden: Older People's Plan, 2008). There were calls for better parking solutions for people's family and visiting carers and also for accessible transport services at night so that people could take part in evening activities. As a result of the public consultation and engagement carried out as part of the Camden Transport strategy 2019, the main concerns highlighted by older people were around public transport, including for example adequate bus shelters with seating, and step-free access to rail and underground. The availability of public seating was also an issue. Another concern was potential conflict with cyclists in shared space.

Older Londoners tend to make fewer weekday journeys (2.1 journeys on average compared with 2.4 for Londoners overall). This is especially the case among Londoners aged 70-79 (2.2 journeys) and those aged 80 and over (1.5 journeys) (TfL Understanding Diverse Communities 2019)

The quality of public transport provision, and particularly the buses, was also cited as a major concern. However there was also recognition that Camden is privileged to have numerous transport options, so that people can get around the borough.

It is primarily bus stop density that encourages older people to use public transport more frequently whereas bus service frequency does not appear to be of the same significance.

The Freedom Pass and Taxicard usage data below supports the study above in showing that

older and disabled people use buses more often than taxis. Indeed, 9.3 million public transport trips were made by Camden residents with an older person's freedom pass in 2012/13 (the latest available data from Transport for London). Of these 7.1 million (76%) were made by bus over other forms of public transport. For disabled people under the age of 64, 2.8 million public transport trips were made by Camden residents registered for the pass, of which 2.2 million (79%) were made by bus. The bus is clearly an important transport mode for older and disabled people and improvements to bus stop accessibility, bus journey times and reliability would provide significant benefits for people that rely on them.

According to Taxicard usage data to date for 2014/15, the average number of trips made per month by Camden residents is 4,023, making the number of trips per year approximately 48,000.

The volume of trips made by Taxicard users is clearly far lower than the number of trips made by Freedom Pass users (the ratio is 1:200) and therefore although the lack of access to some parts of TCR to taxis might cause problems for some disabled and older people, the improvements to bus services would benefit a far larger number of disabled and older people.

Freedom Pass

From the TfL Understanding diverse communities (2019) Nineteen per cent of white Londoners have Freedom Passes compared with 10 per cent of BAME Londoners. These differences are largely linked to the differing age profile of BAME and white Londoners. The proportion of BAME and white Londoners aged 65 and over who hold a Freedom Pass is similar: 91 per cent and 93 per cent respectively

Mixed Londoners remain significantly less likely than all other ethnic groups to hold an older person's Freedom Pass, reflecting the younger age profile of this group

Freedom Passes held (2013/14)	All	White	BAME	Black	Asian	Mixed	Other
Base	(17,560)	(11,173)	(6,099)	(1,984)	(3,049)	(470)	(596)
Older person's Freedom Pass	15	19	10	10	11	5	9
Disabled person's Freedom Pass	1	1	2	3	1	1	1

Gender Reassignment

Data on gender reassignment figures is not available at a borough level, however a study by the Gender Reassignment Education and Research Study funded by the Home Office found that there is an estimated number of 300,000 to 500,000 transgender people within the UK. A survey undertaken by the government confirmed that respondents within that category most feared for their safety on the streets and using public transport. The survey can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85499/transgender-survey.pdf

Pregnancy and Maternity

In 2016 there were 2,756 birth rates to Camden-resident mothers, there was a moderate increase in births from 2014-2016 which is consistent with birth increases in London.

Many of the issues which impact on women, disabled people and the older generation such as overcrowded public transport and poor air quality levels are relevant here. The Baby on Board badge was launched by TfL in 2006 in order to help women who felt awkward or perhaps intimidated to ask for a seat on public transport. Given that women are often the primary care givers for young children, initiatives such as this that help to create greater accessibility have a positive impact on the general population as well as pregnant women or parents with young children.

Race

44% of Camden's population described themselves as White British in the 2011 Census. The remainder of the population is made up of Black and minority ethnic groups, with the second largest group being White Other at 19%, followed by Bangladeshi at 5.7%. Camden is also home

to a number of smaller national and cultural communities. There is a strong link between BAME and deprivation in London (and also in Camden), with these groups also least likely to own a car, with a higher prevalence of walking and public transport use.

According to data from 2011 census:

The proportion of Black and Minority Ethnic (BME) groups in Bloomsbury is higher at 40.4% than the Camden average (33.7%).

Bloomsbury

	Area No.	Area %	Camden %
All ethnic groups	10,892	100%	100%
White	6,491	59.6%	66.3%
Mixed/Multiple Ethnic Groups	500	4.6%	5.6%
Asian or Asian British	2,712	24.9%	16.1%
Black or Black British	731	6.7%	8.2%
Other Ethnic Group	458	4.2%	3.8%
Black & Minority Ethnic Groups¹	4,401	40.4%	33.7%
All Minority Ethnic Groups²	6,688	61.4%	56.0%

The proportion of Black and Minority Ethnic (BME) groups in Holborn and Covent Garden is also higher at 39.8% than the Camden average (33.7%).

Holborn and Covent Garden

	Area No.	Area %	Camden %
All ethnic groups	13,023	100%	100%
White	7,839	60.2%	66.3%
Mixed/Multiple Ethnic Groups	746	5.7%	5.6%
Asian or Asian British	2,994	23.0%	16.1%
Black or Black British	990	7.6%	8.2%
Other Ethnic Group	454	3.5%	3.8%
Black & Minority Ethnic Groups¹	5,184	39.8%	33.7%
All Minority Ethnic Groups²	7,894	60.6%	56.0%

The Camden Transport Strategy states that BME groups are more likely to be living in poverty than white people. Information on employment and earnings show that BME people are generally less likely to be employed and, where they are employed, more likely to be in low paid occupations. Research supports the view that there are strong links between ethnicity and deprivation: the Prime Minister's Strategy Unit, 2005 shows that ethnic minorities tend to live in more deprived areas in the UK, with particularly steep gradients in London. Deprivation particularly affects young people from the BME community, with unemployment rates among 16-24 year olds around three times higher than that for the white groups. Barriers to the transport network faced by BME groups will therefore parallel those from deprived areas, i.e. affordability, accessibility, and safety.

It is also noted that in the recent challenge to the removal of the general exemption for PHVs from the congestion charge brought by the Independent Workers Union of Great Britain, evidence was put forward that 94% of minicab drivers were from BAME communities. Therefore, any measure which has a negative effect on PHV trade (not black cabs) would disproportionately affect BAME communities.

Ethnicity and safety

We would expect that, as minority ethnic groups are more likely to live in deprived areas, there will be a similar relationship between ethnicity and road injury risk as that between deprivation and risk. Research by the London School of Medicine and Tropical Hygiene (2006) indicates that for almost all ethnic groups, injury risk is indeed higher for each group in more deprived areas compared to least deprived areas. However, the research also shows that for Black children it is almost the same, i.e., Black children do not appear to be protected from pedestrian injury risk by living in less deprived areas. This means that the relationship is far more complex and that BME communities cannot be considered as a homogenous group.

There are three key determinants of the relative risk of being injured as a pedestrian: the road environment (how many roads and junctions, the volume and speed of traffic etc.); an individual's exposure to that environment; and individuals' behavior.

Data for 1996-2006 shows that 'black Londoners have been on average 1.3 times more likely to be injured on the roads than 'white' Londoners'. Therefore, there is some element of individual behaviour and exposure which is increasing risk among these groups. This can include, for example, different attitudes to taking risk and preferences for more outdoor leisure behavior which may increase exposure among African and Caribbean groups. For example, the lack of safe and affordable access to play areas or sports centres may mean people socialise more on the street. Or children from single parent families may be travelling to school unaccompanied. On the other hand, some cultures are stricter about letting younger people out alone, particularly girls.

As Camden is culturally diverse, measures to address road safety among ethnic minority children should be sufficiently broad to avoid problematising the behavior of certain groups. Therefore, as well as targeting actual behavior, policy should aim to provide a safe physical environment for those behaviors, including safe areas to play and socialise.

Information on road injury and ethnicity specifically relating to Camden is unavailable. Camden has been very successful in reducing casualties in borough roads over the last 10 years, and improving road safety continues to be a major objective for the Council. Improving road safety through engineering measures, traffic calming and speed management has immediate benefits for those most at risk and the local community while also benefiting the wider population. Through its Education, Training and Publicity Programme which aims to improve road safety, Camden also targets behavior, particularly among those most at risk. Objective 3 of the current Camden Transport Strategy approved in 2019 states: To deliver a sustainable transport system and streets that are accessible and inclusive for all.

TfL research also shows that BME Londoners are less likely than other groups to cycle. Safety is a major issue for people who don't cycle, with some believing it is not safe because of careless motorists and busy traffic. The Camden Transport Strategy is committed to improving safety, especially for cyclists, through engineering measures and skills training, as well as promoting the benefits cycling to all groups.

Improvements to provision for walking and cycling would benefit BME groups and encourage more people from this protected group to cycle.

Religion and Belief

Camden's overall population comprises a diversity of religions and beliefs. 38.5% describe themselves as Christian, whilst 29.1% state that they have no religion, 13.8% of the population is Muslim and 5.1% are Jewish. Camden has a higher proportion of people of Muslim and Jewish faith than London and the rest of the UK, this also applies to those who have no religion and those that did not state a religion. Local data from the 2011 census shows the following breakdown:

Bloomsbury

	Area No.	Area %	Camden %
All (including Not Stated and No Religion)	10,892	100%	100%
Christian	3,343	30.7%	34.0%
Buddhist	231	2.1%	1.3%
Hindu	267	2.5%	1.4%
Jewish	151	1.4%	4.5%
Muslim	948	8.7%	12.1%
Sikh	38	0.3%	0.2%
Other religion	72	0.7%	0.6%
No religion	3,049	28.0%	25.5%
Religion not stated	2,793	25.6%	20.5%

Holborn and Covent Garden

	Area No.	Area %	Camden %
All (including Not Stated and No Religion)	13,023	100%	100%
Christian	4,323	33.2%	34.0%
Buddhist	182	1.4%	1.3%
Hindu	166	1.3%	1.4%
Jewish	141	1.1%	4.5%
Muslim	1,995	15.3%	12.1%
Sikh	35	0.3%	0.2%
Other religion	64	0.5%	0.6%
No religion	3,128	24.0%	25.5%
Religion not stated	2,989	23.0%	20.5%

There is a higher proportion of Muslims in Holborn and Covent Garden than in the borough as a whole, but a lower proportion in Bloomsbury.

The Camden Transport Strategy EIA notes that the impact of anti-social behaviour on public transport tends to relate to signs of a person's faith which can often be linked to ethnic minority groups.

Camden is also home to wide range of other faiths including Christian, Muslim, Sikh, Jewish, Hindu and Buddhist. The largest faith population is Christian at 34% of the population. Muslims comprise the second largest faith group. In 2011, 12.1% people living in Camden classified themselves as Muslims. Muslims appear to be particularly disadvantaged across a number of indicators compared to other faith groups and the borough average, for example in unemployment, lacking qualifications and suffering from long-term illness.

For many faiths such as Orthodox Judaism and Sikhism, dress can be a very obvious indicator of faith and therefore likely to attract attention, including hate crime and anti-social behaviour.

Religious observance may affect when and where people travel. For example, some Jewish people cannot drive on Saturdays, and places of worship and faith based schools are major destinations for large populations from different groups, particularly on certain dates and at certain times of the day. It is therefore important that routes to and around these destinations are safe.

Sex

Slightly over half of Camden's population is female at 51%, this is almost identical to Greater London as well as the UK. Women generally travel less actively than men, for example, women only make up 27% of cycle trips in London and are one of the groups of people who have a

disproportionately higher desire for protected cycling infrastructure and direct routes. Objectives and policies within the CTS which aim to create improvements in cycling and walking environments will help address barriers towards cycling and walking enabling a more equal representation within Camden.

Safety and security on public transport and at stations is also a concern for women who often feel vulnerable to attack.

According to the report “Understanding Our Diverse Communities (TfL 2019)

- Women tend to complete more weekday trips on average than men (2.5 compared to 2.3) Walking is the most commonly used type of transport by women (95 per cent walk at least once a week). Women are more likely to use buses than men (62 per cent compared with 56 per cent), but are less likely to use other types of transport including the Tube (38 per cent women compared with 43 per cent men) [11]
- Women are more likely than men to be travelling with buggies and/or shopping, and this can affect transport choices [34]
- Satisfaction with transport among women and men is very similar and is mainly driven by the ease of making the journey [15]
- Women are more likely than men to experience worrying incidents when travelling on public transport and are more likely to be deterred from using public transport more often by a number of different barriers [13]

According to data for London (Camden specific data is not available) most trips made by women are on foot, around 35%, compared to men at just under 30%. Around 27% of men’s trips are driven compared to 20% for women, although women are more likely to be passengers at approximately 15% of their trips compared to 10% for men. However, in total the majority of trips taken by both sexes are using modes other than private vehicles. There is also greater potential for walking trips among women than men.

According to data from 2011 census:

Bloomsbury

	Area No.	Area %	Camden %
Male	5,686	52.2%	49.0%
Female	5,206	47.8%	51.0%

Holborn and Covent Garden

	Area No.	Area %	Camden %
Male	6,908	53.0%	49.0%
Female	6,115	47.0%	51.0%

There are more men than women in both Bloomsbury and Holborn and Covent Garden wards.

Sexual Orientation

Under reporting on the size of lesbian, gay and bisexual communities is a recognised issue so it is difficult to accurately understand the size of this proportion of the population, particularly at borough level. An upper estimate for London suggests that roughly 10% of the population is lesbian, gay or bisexual although these figures may under represent the size of this population due to societal issues surrounding the disclosure of sexual orientation. Similar to women and people who are going or have gone through gender reassignment, members of the LGBT community often find safety and security issues as a concern on public transport.

Deprivation

There are several issues affecting men's and women's use of the transport network. Socio-economic factors have a major impact on choices. Women are generally at greater risk of poverty than men: more women work part-time than men and having dependent children has an impact on women's employment opportunities whereas there is no impact on men's. People in lone parent households are at much greater risk of poverty – and the majority of lone parents are women, and income disparities between men and women persist (www.fawcettsociety.org.uk). The impacts of deprivation on women will therefore be more acute.

Support for a more balanced transport network should address affordability, reliability and improving pedestrian facilities. Improving safety and the perception of personal security is a priority for both men and women. Transport measures should also tackle perceived as well as actual road danger in order to address gender inequality.

Objectives in the Camden Transport Strategy support this statement along with a programme of projects aimed at addressing barriers associated with deprivation will also capture many of the same issues faced by both men and women, including safety, affordability, accessibility to local centres and employment opportunities (by bus and on foot). In addition, Camden Council works with TfL to highlight issues on public transport and bus services. As there are strong links between gender, ethnicity, age and deprivation, any steps taken to meet women's transport needs will have many positive benefits for other groups such as black and minority ethnic groups, older people, disabled people and children.

Notes to Question 2

- Here use data to show who could be affected by the decision. Consider who uses the service now and might use it in the future. Think about the social mix of the borough and of our workforce.
- If available use profile of service users and potential users / staff by protected groups: (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation). You could consider the following:
 - Take up of services, by protected group if available;
 - Recommendations from previous inspections or audits;
 - Comparisons with similar activities in other departments, councils or public bodies;
 - Results of any consultation and engagement activities broken down by protected groups (if available) - sources could include, complaints, mystery shopping, survey results, focus groups, meetings with residents;
 - Potential barriers to participation for the different protected groups;
 - National, regional and local sources of research or data – including statutory consultations;
 - Workforce equality data will be provided by your HR change adviser for organisational change / restructure EIAs and
 - For organisational change / restructure EIAs include the results of any consultation or meetings with staff or trade unions.
- **Do not simply repeat borough wide or general service equality data** – be as precise and to the point as possible.
- If there are gaps in equality information for some protected groups identify these in this section of the form and outline any steps you plan to take to fill these gaps. Consider:
 - Any relevant groups who have not yet been consulted or engaged;
 - Whether it is possible to breakdown existing data or consultation results by different protected groups;
 - If you are conducting an organisational change / restructure EIA and there are data gaps consider asking affected staff to update their details on Oracle.
- We are under a legal duty to be properly informed before making a decision. If the relevant data is not available we are under a duty to obtain it and this will often mean some consultation with appropriate groups is required.
- Is there a particular impact on one or more of the protected groups? Who are the groups and what is the impact?
- Consider indirect discrimination (which is a practice, policy or rule which applies to everyone in the same way, but has a worse effect on some groups and causes disadvantage) - for example not allowing part-time work will disadvantage some groups or making people produce a driver's licence for ID purposes.

Question 3

Does the proposed decision have an impact (positive or adverse) on our duty to eliminate discrimination/harassment and victimisation, promote equality of opportunity or foster good relations between different groups in the community (those that share characteristics and those that do not)?

It is anticipated that the West End Project will result in traffic and public realm improvements in the Tottenham Court Road, Gower Street / Bloomsbury Street and New Oxford Street area which viewed as a whole will have a **positive impact** on pedestrians, including wheelchair users and people who have pushchairs, as well as cyclists and the majority of bus users in the area.

This Equality Impact Assessment has identified that there will be a **positive impact**, particularly for older people, disabled people, and those with impaired mobility as a result of:

- Wider pavements on Tottenham Court Road allowing more space for powered wheelchairs and electric scooters
- Being able to arrive and leave from Tottenham Court Road by bus
- Shorter bus journey times and improved journey time reliability through the area
- Removal of street clutter providing more available pavement width and making it easier for people with visual impairments to navigate through the area
- Better pedestrian crossing facilities in terms of locations and pedestrian crossings all round junctions for most signalised junctions, with tactile and rotating cones throughout the area.
- Shorter crossing distances on most streets in the area with more straight across pedestrian crossings
- Increased time to cross at St Giles Circus and wider crossings at St Giles Circus, Princes Circus and on Gower Street by the University College London campus
- Increase in the number of Blue Badge disabled parking bays in the area, including in the vicinity of the hospital.
- Less traffic in the area leading to better air quality
- Improved lighting reducing fear of crime
- Raised junctions throughout the area making it easier to cross for wheelchair users. Tactile paving would be provided to assist visually impaired people.
- New and improved public spaces
- All University College London Hospital sites would continue to be accessible at all times by taxis or other motor vehicles.

The proposals would also benefit younger people specifically in terms of:

- Reducing road danger
- Improving the environment for walking and cycling and therefore encouraging independent mobility
- Improving east-west walking routes to school in particular by making Tottenham Court Road and Gower Street easier to cross and therefore reducing pedestrian severance
- Providing more public space including a new park at Alfred Place in an area with a deficit of publicly accessible green space.

More seating would be provided which benefits people of all age groups and with mobility impairments, but particularly older and younger people.

The traffic access restriction would be daytime only so as to facilitate the night-time economy and safer travel at night, which would be positive for all groups but particularly women, older people, disabled people and the LGBT community. Improvements in bus services also help to improve

personal security and perceived personal security by allowing people to leave an area more quickly and easily.

The shorter bus journey times and improved bus journey time reliability also provide benefits for women who tend to have more complex journey chains for reasons such as being more likely to be primary carers for children or older relatives, and working part time.

This Equality Impact Assessment recognises there may be some **negative impacts** for elderly and disabled people with mobility impairments resulting from the West End Project and specifically the traffic restrictions described above. It is not anticipated that this will result in any unlawful discrimination against any group with protected characteristics.

Prohibiting motor cars including private hire vehicles and especially taxis from using the full length of Tottenham Court Road during the restricted times potentially has a negative effect on some of the elderly and disabled, who have mobility impairments and who rely especially on taxis, but also on PHVs and private cars to make door-to-door journeys, and could not reasonably be expected to cycle, walk or use public transport to gain access to shops and other facilities on Tottenham Court Road.

Given that around 94% of minicab drivers are from BAME communities, any measure which has a negative effect on PHV trade (not black cabs) would disproportionately affect BAME communities.

Residents living in or around traffic and public realm improvement areas will have faced some temporary noise and disruption during the implementation phase of the highways works and will continue to face noise and disruption locally where public realm improvements continue. Given that the proportion of Black and Minority Ethnic (BME) groups in Bloomsbury is higher at 40.4% than the Camden average (33.7%) and also higher in in Holborn and Covent Garden at 39.8%, this inconvenience may disproportionately affect BME groups.

Notes to Question 3

- Here, think about our other duties (see the notes at the end) and do the proposals impact (positive and or negative) upon those wider duties and aspirations?
- What might say a reduction in the hours of a facility that mainly serves a particular group have on our wider duties?
- Examples of eliminating discrimination: Taking action to ensure that services are open to all groups – e.g. targeting help at particular deprived sections of the community or funding services who work to prevent discrimination
- Does take up of the activity differ between people from different protected groups?
- Have the outcomes of your consultation and engagement results identified potentially negative or positive impacts?
- Are some groups less satisfied than others with the activity as it currently stands?
- Is there a greater impact on one protected group, is this consistent with the aims of the activity?
- For organisational change / restructures analyse the outcomes of consultation with staff and trade unions and analyse the staff data provided by your change adviser
- If you have identified negative impacts include details of who these findings have been discussed with (e.g. Legal, HR) and their views
- Are there any further changes that could be made to deliver service improvements or make the activity more responsive?

Question 4

If there is an adverse impact, can it be avoided?

If it can't be avoided, what are we doing to mitigate the impact?

The report to Cabinet in 2015 stated as follows. Permitting taxis to use the full length of Tottenham Court Road (Option 2) is not recommended as this would increase the volume of traffic on Tottenham Court Road by up to 24% compared to option 1, increase levels of pollution and road danger and would therefore worsen conditions for walking and cycling and reduce journey time benefits for buses. At that time, permitting taxis to use the full length of Tottenham Court Road was viewed as inconsistent with achieving the full benefits of the scheme. Despite some progress in reducing taxis' emissions, this remains the same today.

Allowing taxis unrestricted access would result additional traffic on Tottenham Court Road, leading to additional capacity being created in Gower Street. This will result in additional motorised vehicles using Gower street. One aim of the scheme is to improve air quality. The additional vehicle capacity will therefore not contribute to the improvement to air quality in the area. The current London taxi fleet is currently made up of a mix of both diesel (TX), electric hybrid (LEVC) and fully electric (Nissan). The TfL emissions standards for taxis state that that maximum operating age for taxis from November 2022 is 15 years for diesel, lpg and electric is 15 years. This means that diesel taxis which are the most polluting of the three can still legally operate up until 2037.

For those people, including disabled people, who require a taxi, the number of taxi ranks was to be increased. In addition, taxis would still be able to access 60% of Tottenham Court Road (the unrestricted sections), and for the remaining 40% (where taxis would be restricted), taxis could stop close to a junction of the nearest side street with Tottenham Court Road, not more than 50m away, to pick up and set down passengers. At all other times including the evening, early morning and all-day Sundays, general motor traffic would have unrestricted access to the whole street benefitting the night-time economy and assisting safer travel home at night.

All east west routes are fully accessible, Access to key places such as the University College London Hospital (which has its own off highway rank) Heals/Habitat (at the request of the taxi Trade) are maintained. As all side roads are accessible. The maximum distance that a person of protected characteristics would need to travel would be approximately 50m to the centre of any building between two side streets. Additional seating has been placed on the footway to reduce this distance. Widened footways have been provided to facilitate an easier route.

The effect of excluding taxis during the restricted time has been mitigated by discussions with the taxi trade in 2015/2016 resulting in agreement to introduce taxi ranks in various side streets leading to Tottenham Court Road that are sited as close as possible to their junctions with Tottenham Court Road itself, the taxi rank at the southern end is retained and is outside of the restriction. Access to other short sections are also maintained for example access to the rank in the central section between Chenies and Store street which was requested by the taxi trade to facilitate access to the Heals/Habitat store. TfL are also installing a taxi charging point on the rank in Warren Street adjacent to Tottenham Court Road.

It would be possible to mitigate these effects further or perhaps remove them altogether by permitting taxis to travel the full length of Tottenham Court Road during the restricted hours. However, in officers' assessment, permitting taxis to travel the full length of Tottenham Court Road during the restricted hours would unacceptably compromise the achievement of the scheme's aims.

The Camden Transport Strategy seeks to provide for, and pro-actively enable, more sustainable travel choices to be made where possible by a) seeking to understand the barriers that people face to make the switch, and b) addressing those barriers and making alternatives attractive. This includes providing an accessible, safe environment for walking and cycling, support for improved accessible public

transport and continued provision of Camden’s own transport services, particularly those for older people and those with a disability. These modes are the ones most used by Camden’s residents, are also the most affordable and more easily available.

Please use this grid to summarise the impacts outlined above.

Protected group	Summarise any possible negative impacts that have been identified for each protected group and the impact of this for the development of the activity	Summarise any positive impacts or potential opportunities to advance equality or foster good relations for each protected group
Age	Taxi restriction on TCR, narrower pavements on Gower Street, loss of pay and display parking.	Less traffic and congestion, improved environment for walking and cycling, improved air quality, improved road safety, provision of more pay and display parking in the vicinity of the hospital, more seating, wider pavements on TCR, vehicle access to all hospital sites retained, better pedestrian crossing facilities, additional taxi ranks on side roads.
Disability	Taxi restriction on TCR, narrower pavements on Gower Street, loss of Green Badge disabled parking.	Less traffic and congestion, improved environment for walking and cycling, improved air quality, improved road safety, provision of more disabled parking, more seating, wider pavements on TCR, vehicle access to all hospital sites retained, better pedestrian crossing facilities, additional taxi ranks on side roads.
Gender reassignment	N/A	As above
Marriage and civil partnership	N/A	As above
Pregnancy and maternity	N/A	As above
Race	Temporary noise and disruption during the implementation phase. Loss of trade for PHV drivers.	As above
Religion or belief	N/A	As above
Sex	N/A	As above

Sexual orientation	N/A	As above
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Notes to Question 4

- Assuming there is an impact, what are we going to do about it? We need to make sure the **decision makers understand the impacts**
- All our policies and decisions should be designed to eliminate discrimination and contribute to our other obligations such as promoting good relations.
- If it can't be avoided can it be mitigated in some other way?
- There might be decisions elsewhere or perhaps additional spending on other services which could reduce the impact. Beware of simply saying that we will direct service users to other services or resources without considering the feasibility of doing so or the knock-on effect for those services
- We don't have to completely eliminate a negative impact, but we must identify it and try to mitigate it and the **decision makers must be in a position to fully understand the implications of their decision and balance off the competing interests** – e.g. the impact against the need to make savings and balance our budget

Question 5

Could any part of the proposed activity discriminate unlawfully?
Can we advance equality of opportunity via this decision/policy?
Can we foster good relations via this decision/policy?

Implementation of the West End Project is understood not to unlawfully discriminate against people with protected characteristics as defined by the Equality Act 2010.

The potential for advancement of equality of opportunity is also outlined in answer to question 3 above. Potential failures to advance equality of opportunity are identified in answer to question 4 above, as are mitigating measures and possible further mitigating measures.

The Scheme advances equality of opportunity by the implementation of measures within the scheme for example widening of footways, tactile drop kerbs, new and updated signalised pedestrian crossings, level access into both new and upgraded green spaces & public realm areas enhance the area for those with protected characteristics

The resultant reduction in motorised traffic on Tottenham Court Road as a result of the removal of all but buses and cyclists is to make the road a more pleasant place for both pedestrians and cyclists. In terms of those with protected characteristics those such as wheelchair users, mobility scooters, child buggies are not exposed to localized exhaust fumes at low level. Those who fall into this category are by the fact that they travel at a lower level more vulnerable.

Notes to Question 5

- **There may be decisions or policies where this is not going to be applicable. Explain this briefly in the box above. The important point is that it is carefully considered.**
- Suggest positive steps that can be achieved towards our statutory obligations to remove or minimise disadvantages suffered because of protected characteristics, e.g. taking steps to meet the needs of people from the different backgrounds when they are different to the needs of others, encouraging participation from groups when participation is disproportionately low
- Advancing equality of opportunity - (NB this does not apply to marriage and civil partnership). **This is a “positive duty”** which requires public authorities to consider taking proactive steps to root out discrimination and harassment and advance equality of opportunity in relation to their functions—from the design and delivery of policies and services to their capacity as employers. The duties require us to give consideration to taking positive steps to dismantle barriers. Advancing equality of opportunity might require treating some groups differently e.g. targeting training at disabled people to stand as councillors.
- **The legislation requires when we have due regard in terms of advancing equality of opportunity to:**
 - a. **Remove/minimises disadvantage suffered by those who share a characteristic and is connected to it**
 - b. **Take steps to meet the different needs of those who share a characteristic**
 - c. **Encourage those who share a characteristic to participate in public life or any other activity when participation is disproportionately low.**
- Advancing opportunity includes the fact that the steps needed to meet the needs of disabled persons take into account the disabled persons’ disabilities
- We are required to have “due regard” to the need to foster good relations between people who share a relevant protected characteristic and people who do not share it. This involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Examples

- An employer to provide staff with education and guidance, with the aim of fostering good relations between its trans staff and its non-trans staff.
- A school to review its anti-bullying strategy to ensure that it addresses the issue of homophobic bullying, with the aim of fostering good relations, and in particular tackling prejudice against gay and lesbian people.
- Local authority (Not Camden) to introduce measures to facilitate understanding and conciliation between Sunni and Shi’a Muslims living in a particular area, with the aim of fostering relations between people of different religious beliefs.
- Our work to encourage Bangladeshi tenants involvement in TA’s.

EIA prepared by: Kevin Stears

Date: 14 February 2021

EIA checked by: Sam Margolis

Date: 19th February 2021

EIA approved by: Richard Bradbury

Date: 19th February 2021

(Relevant Director Sponsor)

What to do upon approval

For organizational change: If your EIA relates to internal staff, please send to your HR Business Adviser.

For all other EIAs: Please upload onto Sharepoint via this link:

[Equality Impact Assessment Library](#)

Explanatory Notes

What is our Public Sector Equality Duty (PSED)?

Under section 149 all public authorities must, in the exercise of their functions, have 'due regard' to the need to:

1. Eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act; EqA 2010 (section 149(1)(a)).
2. To advance equality of opportunity between people who share a relevant protected characteristic and those who don't; This involves having due regard to the need to:
 - o remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - o take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it (section 149(4)); and
 - o encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Section 149(6) makes it clear that compliance with the PSED in section 149(1) may involve treating some people more favourably than others, but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the EqA 2010 (this includes breach of an equality clause or rule or breach of a non-discrimination rule (section 149(8))).

(Section 149(3), EqA 2010.)

3. Foster good relations between people who share a relevant protected characteristic and those who don't (section 149(1)(c)) (which involves having due regard to the need to tackle prejudice and promoting understanding) (section 149(5), EqA 2010)..

Under the Duty the relevant protected characteristics are: Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion, Sex, Sexual orientation.

- In respect of the first aim only i.e. reducing discrimination, etc. the protected characteristic of marriage and civil partnership is also relevant.
- In meeting the needs of disabled people we have a duty to take account of their disability and make reasonable adjustments to our services and policies where appropriate.
- We must be able to demonstrate that we have considered and had due regard to all three parts of this duty. We must also look for anything that directly or indirectly discriminates.

What do we mean by “due regard”?

- This is not a question of ticking boxes, but should be at the heart of the decision-making process.
- decision-makers must be made aware of their duty to have due regard – so understand the legal requirements on them;
- There should be an analysis of the data – who is this going to affect and how will it put against the legal requirements
- We need to have thought about these duties both before and during consideration of a particular policy and we need to be able to demonstrate that we have done so
- The Duty is “non-delegable” so it is for the decision maker themselves to consider with assistance from the report and officer analysis. What matters is what he or she took into account and what he or she knew so it is important to have the relevant papers accompanying the report. The report should make explicit reference to the EIA. the duty is continuing so while this guide is aimed at the point of decision we should at appropriate points review our duties against the decision/policy
- The decision maker must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy or decision has been taken
- Officers reporting to or advising decision makers must not merely tell the decision maker what he/she wants to hear but need to be “rigorous in both enquiring and reporting to them”
- The duty should be reconsidered if new information comes to light

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What is due regard? In my view, it is the regard that is appropriate in all the circumstances. These include on the one hand the importance of the areas of life of the members of the disadvantaged ... group that are affected by the inequality of opportunity and the extent of the inequality; and on the other hand, such countervailing factors as are relevant to the function which the decision-maker is performing”

Lord Justice Dyson

”

We need to take a sensible and proportionate approach to this based on the nature of the decision or policy being reviewed