

Appendix 4 Valley Gardens Phase 3 (Royal Pavilion to Seafront) Results of public consultation and approval of Final Preliminary Design

Version B: 25 January 2019



Equality Impact and Outcome Assessment (EIA) Template - 2018

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Meg Lewis)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Valley Gardens Phase 3	ID No.⁶	EEC05 Phase 3
Team/Department⁷	Transport Policy and Strategy, City Transport		
Focus of EIA⁸	<u>Main aims of the project</u> The Valley Gardens Phase 3 project aims to improve access for all road users in the area between the Royal Pavilion and Seafront A23/ A259 junction and improve the quality of the public space. The full aims of the overall Valley Gardens Project are set out in the council's City Plan Part One policy SA3. This states that the council will:		

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“enhance and regenerate the Valley Gardens area in an integrated manner that reinforces its strategic significance, emphasises its historic and cultural character, reduces the adverse impact of vehicular traffic, improves local air quality and creates a continuous green boulevard that reconnects the open space to the surrounding urban realm.”

This includes seven specific objectives outlined as follows:

- To create a vibrant and attractive new public park for the city centre;
- To reduce the severance impact of traffic on the enjoyment of the public realm through environmental and transport improvements;
- To create safe and legible links with adjoining areas;
- To enhance the appearance and setting of historic buildings;
- To find appropriate new uses for key buildings;
- To accommodate provision for high quality outdoor events; and
- To enhance the biodiversity of the area.

Scope of the Phase 3 Project and EIA

Phase 3 is currently at the preliminary design stage. Four options were developed following a shortlisting exercise which assessed 44 initial design options against a series of design objectives, including to provide an accessible and inclusive space (see further detail on design objectives below). The four developed options were then reassessed and a preferred option identified.

The Council’s October Environment, Transport & Sustainability (ETS) Committee agreed to progress the preferred option to public consultation in October 2018. The public consultation ran between 15 October and 25 November 2018 with the design option amended in response to the comments presented. Subject to agreement by the ETS committee in February 2019 and the award of funding, Phase 3 is scheduled to commence construction in February 2020 and be completed in March 2021.

The Phase 3 project will follow on from Phase 1-2 for which detailed designs have been completed and construction commenced in September 2018 and is scheduled to be completed by September 2020. A separate EIA has been developed for Phase 1-2. Figure 1 overleaf shows the area covered by the Phase 1-2 and Phase 3 projects.

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	The Phase 3 EIA will be updated at key intervals as the project progresses including at detailed design stage and prior to construction.
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Figure 1: Map showing Phase 1-2 and Phase 3 scheme areas
Who will implement the project?

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2. Update on previous EIA and outcomes of previous actions⁹

<p>What actions did you plan last time? (List them from the previous EIA)</p>	<p>What improved as a result? What outcomes have these actions achieved?</p>	<p>What <u>further</u> actions do you need to take? (add these to the Action plan below)</p>
<p><i>No EIA has been produced for the Phase 3 project to date. However, the actions arising from the Phase 1-2 EIA have been noted below for context.</i></p>		
<p>Consistent and advance communication (with signposting to translation services etc) on construction timescales and phasing to ensure those using the area are kept informed.</p>	<p>Construction has not yet commenced.</p>	<p>Not applicable to Phase 3 project at this stage in terms of construction. However, communication with the public, including public consultation will follow standard BHCC procedures in relation to accessibility and Equality Monitoring. Actions in respect of the Phase 3 construction will be addressed fully in an updated EIA; however, it is intended that the approach will follow that applied for Phase 1-2 with this being updated to reflect any lessons learnt during this period.</p>
<p>Adherence to accepted design standards (DfT) with relation to features such as drop kerbs, tactile paving, colour contrasting materials etc.</p>	<p>Reflected in the Phase 1-2 design process.</p>	<p>Continue to apply guidance contained with Manual for Streets, Inclusive Mobility and Guidance on the Use of Tactile Paving through the Phase 3 project. Where departures are required, the rationale and impacts of these will be fully considered and subject to the Road Safety Audit process as outlined in DMRB HD 19/15.</p>
<p>Continued engagement throughout the construction period and post scheme evaluation to determine if any impacts are realised and to ensure that any mitigating measures are put in place to remove or reduce any negative impacts that may surface during and post construction.</p>	<p>Construction has not yet commenced.</p>	<p>Will be a continued action when Phase 3 construction commences.</p>

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Lessons learnt meetings at key stages in project delivery to include equalities impacts and mitigations.	To commence in detailed design	Equalities impacts will be considered at key intervals of the design process, including selecting a preferred option from the design shortlist and prior to completion of the preferred option. It is intended that the same delivery approach outlined for Phase 1-2 will be continued for Phase 3 once it enters the detailed design and construction stages.
Noise barriers around construction sites and minimisation of night works.	Construction has not yet commenced.	Continue for Phase 3 where required.
Creation of additional crossing point on eastern side of the Gardens.	Not applicable to Phase 3.	The Phase 3 design process will seek to identify and fill missing links in crossing provision.
Improvement of access to green space and the gardens with new pathways and improved public realm.	Reflected in the Phase 1-2 design process.	This action will also be relevant to the Phase 3 design process.
Following accessibility design and construction guidelines for vulnerable road users.	Reflected in Phase 1-2 design process.	Guidance outlined in Inclusive Mobility, Manual for Streets and Guidance on Use of Tactile Paving Surfaces will be applied throughout the Phase 3 design process.
Consistent and ongoing communication with local residents and other stakeholders throughout the project.	Information communicated to the public on the Phase 1-2 construction timetables.	To be continued throughout stage 3. This will commence with public consultation and continue through the construction process should the project be approved.

3. Review of information, equality analysis and potential actions

Protected characteristics groups from the Equality Act 2010	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations

Protected characteristics groups from the Equality Act 2010	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹⁴	<p>The Census output area covering most residential properties within the project area^A indicates that a majority (35%) are aged 20-29. Low proportions are aged 15 or under (5% compared to 16% for the city as a whole) whilst the proportion aged 65 or over (12%) is similar to the city average (13%). However, the project area is a public space in the city centre and can be expected to be used by any city resident and visitors of all ages.</p> <p>Some services within or adjacent to the project area will be more important to certain age groups than others (for</p>	<p>The initial site analysis of the current layout has identified a number of locations where pedestrian crossings are not provided on desire lines. This results in longer walking distances or a need to cross in unsafe locations. Elderly people or those with young children are likely to be disproportionately affected by this layout.</p> <p>Comments received as part of the initial public survey conducted to help in understanding the existing conditions experienced across the Old Steine and Palace Pier roundabout area and confirm that there are difficulties for people who have mobility limitations because of age or disability.</p>	<p>The improvements required to address the identified issues are consistent with the project objectives, for example, in terms of pedestrian route and road safety improvements.</p> <p>Therefore, the project would be expected to improve conditions for users of the project area currently disadvantaged by age.</p>	<p><i>Engagement Actions:</i></p> <ul style="list-style-type: none"> • Informed local schools of public consultation. <p><i>Design Actions:</i></p> <ul style="list-style-type: none"> • Developed options seek to provide wider, more direct pedestrian routes and crossings; • The provision of improved pedestrian routes and crossings is expected to improve safety for vulnerable road user groups, including children; • Assessment of shortlisted options include consideration of the above, provision of formal crossings and opportunities to provide additional seating and rest areas; • Reflect outcomes of the further engagement in the preliminary design of the preferred option.

^A 2011 Census, Lower Output Area Brighton & Hove 030A, www.nomisweb.org.uk

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	<p>example, access to schools, access to doctors' surgeries).</p> <p>Older and younger users are also more likely to use public transport. Car ownership is lowest amongst the 85+ (69% no car), 16-24 (38% no car) and 65-84 (37% no car) age groups. Therefore, they are more reliant on other forms of transport such as buses to access the city and its services^B.</p> <p>Collision data analysis reveals a high proportion of collisions involving bus passengers falling as a result of sudden braking (19% of 124 collisions 2013-17).</p>			

^B Equalities in Brighton & Hove Data Snapshot (OCSI, 2017, p.54)

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	<p>Elderly people are generally more vulnerable where buses are required to do this.</p> <p>BHCC's Air Quality Strategy^C also notes how children and older residents are more vulnerable to poor air quality.</p>			
Disability¹⁵	<p>For residents of the project area, at the 2011 Census, 9% reported that a disability limits their daily activities a lot and 10% a little, slightly higher than the city average at 8% and 9% respectively^D. Along with the neighbouring East Brighton ward, Queen's Park Ward (which forms the</p>	<p>The initial site analysis of the current layout identified a number of issues as follows:</p> <ul style="list-style-type: none"> • Pedestrian crossings are not provided on desire lines, resulting in longer or more convoluted routes; • The footway widths in several locations are of insufficient widths to cater for demand and, in some cases, the unobstructed width is insufficient for a wheelchair to comfortably pass; 	<p>The improvements required to address the identified issues are consistent with the project objectives, for example, in terms of pedestrian route and road safety improvements.</p> <p>Therefore, the project would be expected to improve conditions for users of the Phase 3 area with a physical</p>	<p><i>Engagement Actions:</i></p> <ul style="list-style-type: none"> • Held workshop with Possability People; • Invited separate representatives other of groups to provide an opportunity for a wider range of stakeholders not represented by the above with the opportunity to comment. <p><i>Design Actions:</i></p> <ul style="list-style-type: none"> • Assessed shortlisted

^C Brighton & Hove Air Quality Action Plan (BHCC, 2013) <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Air%20Quality%20Action%20Plan%202015%20%28pdf%201.6%20MB%29.pdf>

^D 2011 Census, Lower Output Area Brighton & Hove 030A, www.nomisweb.org.uk

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	<p>eastern boundary to the project area) has the highest level of long-term illness or disability in the city at 22%. This group is highly likely to be affected by the proposals as two of the ward's doctors' surgeries are located within the scheme area whilst residents will need to cross it to access city centre services.</p> <p>It is noted that the above includes those with physical and mental impairments.</p>	<ul style="list-style-type: none"> • Dropped kerbs are not provided at all crossing points; • In places, tactile paving is either missing or inconsistent. <p>These issues were raised in a design workshop held with Possability People representing the interests of disabled people and is expected that the issues raised will disproportionality affect those with physical impairments. The workshop also raised a number of additional points including the following:</p> <ul style="list-style-type: none"> • Disabled parking is in high demand and would preferably be increased; • Segregated facilities for cyclists were preferred, avoiding floating bus stops if possible; • The current placement of street furniture and trees created obstructions for disabled people; and • There is a current lack of seating opportunities. <p>Initial project survey respondents (May 2018) 875 total respondents</p>	<p>impairment who are currently disadvantaged as a result of the road and footway design.</p> <p>There will be a need for the scheme to accommodate existing levels of disabled parking (taking account of existing use of disabled bays and additional demand seen from blue-badge holders parking in other bays or yellow lines).</p> <p>Concerns some have raised on the inclusivity of shared space schemes and the DfT's current recommendation to pause their introduction will need to be reflected in the design process. There is an element of what could be defined as shared space at present (Steine Lane); however, this is an older scheme</p>	<p>options in terms of their contribution to improving footway routes (including directness and design) and accessibility to public transport;</p> <ul style="list-style-type: none"> • Reflected outcomes of the above engagement in the design development of the preferred option. This includes the incorporation of segregated pedestrian facilities; • It has been necessary to incorporate a floating bus stop in response to separate consultation requests for additional stop capacity and the need to maintain a continuous cycle lane. This will include a crossing point with tactile paving as well as treatment intended to slow cyclists on the approach (e.g.

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		<table border="1" data-bbox="779 395 1296 611"> <thead> <tr> <th>Disability</th> <th>Number</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Yes, a little</td> <td>95</td> <td>12.6</td> </tr> <tr> <td>Yes, a lot</td> <td>36</td> <td>4.8</td> </tr> <tr> <td>No</td> <td>623</td> <td>82.6</td> </tr> <tr> <td>Total</td> <td>754</td> <td>100</td> </tr> </tbody> </table> <p data-bbox="779 651 1296 834">The full results for all people show that 4% consider the existing conditions are very good, 20% Good. 30% average, 30% poor and 17 % returning Very Poor rating.</p> <p data-bbox="779 874 1296 1425">It is also noted that as of July 2018, Local Authorities have been asked by the Department for Transport (DfT) to pause the introduction of shared space schemes^E (defined as level surface mixed traffic streets as opposed to other forms of shared space such as pedestrian and cycle paths) whilst guidance is updated. This is the result of the DfT's consultation on the strategy where people with visual impairments felt that such schemes negatively impact on their ability to use these streets.</p>	Disability	Number	%	Yes, a little	95	12.6	Yes, a lot	36	4.8	No	623	82.6	Total	754	100	<p data-bbox="1328 363 1673 619">and for use by servicing vehicles only (as distinct from more recent schemes such as New Road or Francis Street where vehicle traffic is heavier or unrestricted).</p> <p data-bbox="1328 659 1673 1209">The design requires an extension to restricted vehicle access areas in order to achieve the wider project objectives, including improved footways to address the concerns noted opposite. However, the impact of doing so will be carefully assessed and representative groups consulted during the detailed design stage.</p> <p data-bbox="1328 1249 1673 1433">There is potential for the prospect of change and construction activity to negatively affect people with mental impairments</p>	<p data-bbox="1704 363 2085 659">horizontal deflection). The council will also work with bus operators, for example in introducing on-board announcements as is the case with other floating bus stops;</p> <ul data-bbox="1704 667 2085 1437" style="list-style-type: none"> • The design of signalised crossings will be addressed at detailed design, including consideration of the incorporation of tactile and audio signals; • Adhere to any updates on DfT guidance on shared space; • The shortlisted designs retain kerb separation between footways and main carriageway areas. It is possible access (serving individual properties only) will be shared to achieve the wider benefits, including for
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Yes, a little	95	12.6																	
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^E Equalities in Brighton & Hove Data Snapshot (OCSI, 2017, p.32) <https://www.gov.uk/government/publications/inclusive-transport-strategy>

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			(e.g. construction noise, general anxiety about change) as well as make access more difficult for users with other disabilities.	mobility impaired users and other protected groups; however, the impact of any localised shared space on visually impaired users will be carefully considered and designed appropriately. <ul style="list-style-type: none"> • Sought to provide for at least current levels of disabled parking, with current plans showing an increase from two to four spaces with these provided to both the north and south of the study area (the two existing bays are to the north). The increase reflects the fact that blue badge holders could use existing Pay & Display parking which it is proposed will be removed. <p><i>Construction Planning Actions:</i></p> <ul style="list-style-type: none"> • Considerate planning of work and advance

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				communication via a wide range of stakeholder groups and local traditional and social media channels will assist in informing people of the works, timeframes and the final scheme outcomes; <ul style="list-style-type: none"> • Construction activity will be managed to provide continuity of access to key services and public transport; • Where possible, changes to routes during the construction phase will be communicated to the public and specific stakeholders in advance.
Gender reassignment¹⁶	The study area is a focal point of LGBT Pride held every August, including the parade and venues. Trans Pride also occurs annually in	The Trans Needs Assessment in 2015 found that trans people feel less safe in the city centre than the general population, especially after dark.	The scheme aims to improve the quality of public spaces and use of them. Therefore, this is expected to have a positive impact in terms of people's experiences or perceptions of the	<i>Design Actions</i> <ul style="list-style-type: none"> • A key design principle is to ensure all current events can take place and, indeed, that the spaces used for these events can be enhanced.

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	<p>July which includes a parade commencing in Princes Street, which is immediately to the east of the scheme area.</p> <p>The city's Trans Needs Assessment (2015)^F estimated approximately 2,800 people in the city identified as trans, although it acknowledges the potential for underreporting in surveys.</p>		safety of the area.	<p><i>Construction Planning Actions</i></p> <ul style="list-style-type: none"> • BHCC will ensure that all events which currently take place can continue to do so during the construction period.
Pregnancy and maternity¹⁷	<p>The city centre location means that the scheme area is likely to be used by those who are pregnant or have recently given birth.</p>	<p>No specific information; however, it is expected that the problems identified with the current design of the area in the disability category above will also apply to those using pushchairs or accompanying young children.</p>	<p>The scheme design will aim to improve accessibility with wider footways and dropped kerbs which will make moving around the project area on foot easier.</p>	<p><i>Engagement Actions</i></p> <ul style="list-style-type: none"> • Informed local schools of public consultation.

^F <http://www.bhconnected.org.uk/sites/bhconnected/files/Brighton%20%26%20Hove%20Equalities%20-%20Report%20Final.pdf>

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Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers	2011 Census data indicated that for Brighton & Hove 20% identified as ethnicities other than white British and 11% as non-white ^G . 2011 Census data indicated that car ownership amongst non-white ethnicities is lower than those identifying as white ^H .		It is not expected that people will experience the scheme outcomes differently on the basis of their ethnicity.	<i>Engagement Actions</i> <ul style="list-style-type: none"> • Communication with the public, including public consultation will follow standard BHCC procedures in relation to accessibility, including the availability of translation services.
Religion or belief¹⁹	2011 Census data indicated that 43% of residents of Brighton & Hove identified as Christian. 42% as having no religion and 2% as Muslim. All other religions were identified by 1% or less of residents ^I .		The scheme aims to improve the quality of public spaces and use of them. Therefore, this is expected to have a positive impact in terms of people's experiences or perceptions of the safety of the area.	<i>Engagement Actions</i> <ul style="list-style-type: none"> • Communication with the public, including public consultation has and will follow standard BHCC procedures in relation to accessibility, including the availability of

^G Equalities in Brighton & Hove Data Snapshot (OCSI, 2017, p.70)

<http://www.bhconnected.org.uk/sites/bhconnected/files/Brighton%20%26%20Hove%20Equalities%20-%20Report%20Final.pdf>

^H Equalities in Brighton & Hove Data Snapshot (OCSI, 2017, p.91)

<http://www.bhconnected.org.uk/sites/bhconnected/files/Brighton%20%26%20Hove%20Equalities%20-%20Report%20Final.pdf>

^I Equalities in Brighton & Hove Data Snapshot (OCSI, 2017, p.96)

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				translation services.
Sex/Gender ²⁰	The scheme area can be expected to be used equally by male and female residents and visitors.	There is no evidence that the study is experienced differently based on gender; however, it is noted that real and perceived safety can vary by gender.	The scheme aims to improve the quality of public spaces and use of them. Therefore, this is expected to have a positive impact in terms of people's experiences or perceptions of the safety of the area.	<i>Engagement Actions</i> • The formal consultation was widely publicised to ensure that all residents who use the space (or would like to) are informed and provided with an opportunity to comment on the preliminary design.
Sexual orientation ²¹	The population of Lesbian, gay and bisexual residents is estimated to be between 11 and 15% of the population over 16 years of age ^J . LGBT Pride will occur during the construction period.		The scheme aims to improve the quality of public spaces and use of them. Therefore, this is expected to have a positive impact in terms of people's experiences or perceptions of the safety of the area.	<i>Design Actions</i> • A key design principle is to ensure all current events can take place and, indeed, that the spaces used for these events can be enhanced. <i>Construction Planning Actions</i> • BHCC will ensure that

^J Equalities in Brighton & Hove Data Snapshot (OCSI, 2017, p.113)

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				all events which currently take place can continue to do so during the construction period.
Marriage and civil partnership²²	It is not considered that the scope of the scheme design or construction will impact differently based on this protected characteristic.			
Community Cohesion²³	The scheme area is in a city centre location which should be accessible and usable by all members of the community. As well as being a key destination for visitors (both resident in the city and beyond) it is also recognised that many people live and work in the area.		It will be necessary to assess the impact on both residents of the scheme area and visitors to address any impacts that could result from different visitor patterns and increased use of the area as a public space. However, the improvements provide a significant opportunity to enhance social inclusion as noted in the above sections and therefore support community cohesion.	<i>Design Actions</i> • Detailed design of public spaces will need to consider the impact on residential frontages
Other relevant groups²⁴	No impacts identified.			

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Cumulative impact²⁵	It is considered that the scheme will have a positive cumulative impact and the project aims to deliver a large number of outcomes that will directly benefit people defined as having a protected characteristic under the Equality Act 2010, particularly those with a physical impairment, older and younger users.			

Assessment of overall impacts and any further recommendations²⁶

Construction

As noted previously, this EIA will be fully updated at the construction stage when the design of the scheme and construction requirements are known. However, for the purposes of the current assessment, it is acknowledged that there is potential for disproportionate impacts on people with certain characteristics which need to be considered in deciding whether or not to progress with the scheme. However, it is envisaged that the impacts identified can be managed and therefore mean that these will be minor:

- Maintaining access to services during construction, including public transport. Diversions will need to be kept to a minimum and provide direct pedestrian routes where possible, which are wide enough for wheelchair users, and ramps provided where necessary. Clutter and obstructions associated with construction activity will also need to be minimised in order to reduce the impact on visually impaired users.
- Noise and dust creation will be managed through appropriate construction practices including the installation of noise barriers. Residents will be engaged regularly in partnership with the appointed contractor to ensure any additional issues that do arise can be identified and managed.
- The prospect of change and uncertainty around construction can create particular uncertainty and anxiety for some people. This will be managed through advance communications and engagement with residents and businesses throughout the construction period.
- Events will be accommodated during the construction period to ensure their continuity, including pride events.

Design and Operation

The proposal to improve the southern section of Valley Gardens (Phase 3) and the associated aims and intended outcomes have the potential to improve the current space for all users. As such, the completed project would be expected to have a positive impact in terms of addressing the current issues with the project area noted in this EIA and outweigh any short-term impacts during construction which will be managed as detailed above.

The design of certain aspects of the scheme, particularly with regards to level surfaces or shared footways for servicing access will be carefully considered to ensure that appropriate mitigation is provided for visually impaired users. The intention is for carriageways to be segregated from footways via a detectable kerb upstand whilst controlled crossings will also be provided. It should also be noted that addressing other issues such as increasing footway space and reducing street clutter will be beneficial to this group.

All groups have been consulted through the formal public consultation with a dedicated workshop held with Possability People. The council will include all groups on future engagement as the project progresses.

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
BH Connect and 2011 Census. Research as referenced in Section 3 with regards to Protected Characteristics population statistics.	As noted above	N/A	N/A
Stage 1 consultation. This sought to understand what issues people have with using, living/ working in and travelling through the area at present. It also asked respondents to provide priorities for improvement.	May 2018	865 responses were received; however, some groups were underrepresented compared to the wider population.	The consultation on the preferred option was widely promoted through traditional and online media to ensure as many people are aware as possible. Additional services such as translation were offered as is standard for the council's consultations.
Workshop with Possability People	September 2018	N/A	Actions and design recommendations from this meeting have been addressed within Section 3.
Stage 2 consultation. This sought views on the preferred option		Representatives of other groups were invited to a separate stakeholder session arranged during the public consultation – however no representatives attended on this occasion. A further workshop will be offered in the detailed design stage	As above, the public consultation was complemented in advance through the workshop with Possability People.
Second consultation workshop with a wider group of invitees representing those with other protected characteristics.	November 2018	No attendance invites were accepted and as such no additional insights were gained.	The council will continue to engage with relevant groups as appropriate as the project progresses. It should also be noted that all groups and individuals also had the opportunity to participate in the public consultation.

5. Prioritised Action Plan²⁷

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
Age: Older People				
<ul style="list-style-type: none"> Older people more likely to have mobility issues 	Engage in public consultation	Further detail on issues faced and required improvements	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	October/ November 2018
	Incorporate more direct and higher quality walking routes into the design including to and from bus stops Provide more spaces for resting opportunities	The design will provide a significant improvement over the current layout	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	Design: October 2018 Completion: March 2021
<ul style="list-style-type: none"> Real and perceived safety 	Provide more attractive and used public spaces that improve real and perceived safety	Greater use of public spaces and natural surveillance to encourage use by all groups	Evaluation of use of the scheme area post construction	Design: October 2018 Completion: March 2021
<ul style="list-style-type: none"> Continuity of access during construction 	Provide alternative routes and access ramps where required, together with visual information providing details such as temporary bus stop relocations and walking routes	People can continue to access the area and services during the construction period	Continuity of access, public feedback during the construction period	Construction: Feb 2020-March 2021
<ul style="list-style-type: none"> More vulnerable to poor air quality 	Assess the likely impact of the proposals on air quality, including land	Minimise the impact of traffic flow changes on residential buildings and	Change in air quality	Design: October 2018 Completion: March 2021

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
	use type (e.g. residential)	contribute to overall improvement in air quality		
Age: Children				
<ul style="list-style-type: none"> Younger children (and accompanying parents) more likely to experience access constraints (e.g. raised kerbs and narrow footways difficult for push chairs) 	Engage in public consultation	Further detail on issues faced and required improvements	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	October/ November 2018
	Incorporate more direct and higher quality/ wider walking routes into the design	The design will provide a significant improvement over the current layout	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	Design: October 2018
<ul style="list-style-type: none"> Continuity of access during construction 	Provide alternative routes and access ramps where required	People can continue to access the area and services during the construction period	Continuity of access, public feedback during the construction period	Construction: Feb 2020-March 2021
<ul style="list-style-type: none"> More vulnerable to poor air quality 	Assess the likely impact of the proposals on air quality, including land use type (e.g. residential)	Minimise the impact of traffic flow changes on residential buildings and contribute to overall improvement in air quality	Change in air quality	Design: October 2018
Disability: Mobility Impaired Users				
<ul style="list-style-type: none"> Fully understand issues and requirements 	Arrange workshop	Further detail on issues faced and required improvements	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	October/ November 2018
<ul style="list-style-type: none"> Need for level surfaces at crossing points, improved footways 	Provide more continuous routes with wider footways and direct crossings	The design will provide a significant improvement over the current layout	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	Design: October 2018 Completion: March 2021

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
<ul style="list-style-type: none"> Maintenance of bus stop accessibility and provision where not currently provided 	Provide easy access to bus services	Ensure relocated bus stops have accessible kerbs and these are added to retained stops where not provided at present	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	March 2021
<ul style="list-style-type: none"> Need for sufficient levels of disabled parking in appropriate locations 	Provide and retain disabled parking	Disabled parking provision incorporated into the design	Suitable levels of disabled parking in locations where there is demand for this (e.g. adjacent to city centre shops, doctor's surgeries attractions etc.)	Design: October 2018 Completion: March 2021
<ul style="list-style-type: none"> Continuity of access during construction 	Provide alternative routes and access ramps where required	People can continue to access the area and services during the construction period	Continuity of access, public feedback during the construction period	Construction: Feb 2020-March 2021
Disabled: Visually Impaired Users				
<ul style="list-style-type: none"> Need to understand issues and requirements 	Arrange workshop	Further detail on issues faced and required improvements	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	October/ November 2018
<ul style="list-style-type: none"> Provision and consistency of tactile paving 	Provide more legible routes with consistent tactile information	Requirement will be reflected in detailed design	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	Design: October 2018 Completion: March 2021
<ul style="list-style-type: none"> Concerns over surfaces shared between pedestrians and vehicular traffic 	Review the design of any level-surface access areas and provide necessary mitigation	Routes delineated by a kerb upstand and/or tactile paving to be provided	Support from stakeholders during consultation and post-implementation (including satisfaction survey)	Design: October 2018

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
<ul style="list-style-type: none"> Continuity of access during construction 	Provide alternative routes and access ramps where required	People can continue to access the area and services during the construction period	Continuity of access, public feedback during the construction period	Construction: Feb 2020- March 2021
Disabled: Mental Impairment				
<ul style="list-style-type: none"> Potential anxiety over change/ construction 	Provide advance communication of construction works including visual information providing details such as temporary bus stop relocations and walking routes	Aim to ensure changes do not come as a surprise and are clearly explained	Communications sent to schedule and in accordance with communication plan	February 2020- March 2021
	Provide noise barriers during works	Minimise disruption and distress noise of works may bring	Level of complaints on noise grounds during the construction period	February 2020- March 2021
Gender Reassignment				
<ul style="list-style-type: none"> Continuity of events post-construction 	Incorporate events requirements into plans	All existing events can continue to take place and spaces will be enhanced	All existing events can continue to take place and spaces will be enhanced	Construction: February 2020- March 2021 Completion: March 2021
<ul style="list-style-type: none"> Continuity of events (including Trans Pride and LGBT pride) during construction 	Accommodate events during the construction period	All existing events can continue to take place	All existing events can continue to take place	Construction: February 2020- March 2021
<ul style="list-style-type: none"> Real and perceived safety 	Provide more attractive and used public spaces that improve real and perceived safety	Greater use of public spaces and natural surveillance to encourage use by all groups	Evaluation of use of the scheme area post construction	Design: October 2018 Completion: March 2021
Pregnancy and Maternity				
<ul style="list-style-type: none"> Footways are level and of sufficient width 	Provide more continuous routes with wider footways and direct crossings	The design will provide a significant improvement over the current layout	Support from stakeholders during consultation and post-implementation (including	Design: October 2018 Completion: March 2021

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
			satisfaction survey)	
<ul style="list-style-type: none"> Access to the area during construction 	Provide alternative routes and access ramps where required	People can continue to access the area and services during the construction period	Continuity of access, public feedback during the construction period	Construction: Feb 2020- March 2021
Sexual Orientation				
<ul style="list-style-type: none"> Continuity of events post-construction 	Incorporate events requirements into plans	All existing events can continue to take place and spaces will be enhanced	All existing events can continue to take place and spaces will be enhanced	Construction: February 2020- March 2021 Completion: March 2021
<ul style="list-style-type: none"> Continuity of events (including Trans Pride and LGBT pride) during construction 	Accommodate events during the construction period	All existing events can continue to take place	All existing events can continue to take place	Construction: February 2020- March 2021
<ul style="list-style-type: none"> Real and perceived safety 	Provide more attractive and used public spaces that improve real and perceived safety	Greater use of public spaces and natural surveillance to encourage use by all groups	Evaluation of use of the scheme area post construction	Design: October 2018 Completion: March 2021
Other Protected Characteristics				
All other protected characteristics (no specific issues identified)	Engage all residents through the public consultation. This will include information being provided in accessible formats where requested	Maximise the chance of all groups being informed of the consultation and having an opportunity to comment	Monitoring of consultation feedback	October 2018

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment:

Date:

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

¹⁰ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?¹⁰
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹¹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.

-
- Try to consult in ways that ensure all perspectives can be considered.
 - Identify any gaps in who has been consulted and identify ways to address this.

¹² Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹³ Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹⁴ **Age:** People of all ages

¹⁵ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁶ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

¹⁷ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁸ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁹ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

²⁰ **Sex/Gender:** Both men and women are covered under the Act.

²¹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²² **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²³ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²⁴ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁵ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁶ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁷ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

