

Short Equality Impact and Outcome Assessment (EIA) Template - 2015

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: ID No.⁹) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact the Communities, Equality and Third Sector Team on ext 2301.

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	Brighton & Hove Bike Share	ID No.⁶	EEC01
Team/Department⁷	Transport Projects		
Focus of EIA⁸	<p>The Council has been awarded £1.16million worth of Local Growth Fund grant from the Coast to Capital (C2C) Local Enterprise Partnership's (LEP's) Local Transport Body with the Council providing match funding to the amount of £290,000. All LEP funding must be spent on capital expenditure i.e. infrastructure for the scheme, such as for bikes or hubs, with this infrastructure remaining under the ownership of the Council. More details on the funding breakdown are provided in the specification.</p> <p>This will be a concessionary contract, with no access to Council funds after the initial funding has been spent. The operator must cover their own operating costs with the aim that there will also be a profit sharing arrangement between the Council and the operator during the contract based on revenues received.</p> <p>The Council has the following overall aims for the Bike Share Scheme:</p>		

- The Bike Share Scheme should be inviting, easy and comfortable to use by a wide range of people. It will be designed to actively encourage new cyclists of all backgrounds and abilities.
- The Bike Share Scheme is required to meet the needs of residents, workers and visitors to Brighton and Hove by providing a reliable attractive alternative to less sustainable and inactive travel modes.
- The Bike Share Scheme should be innovative and able to adapt to respond to the latest developments in bike sharing technology, such as electric assist bikes, over the length of the Contract.
- The Bike Share Scheme should be flexible to meet changing demand in the local area.
- The Bike Share Scheme should be designed to maximise use of its bicycles to 'normalise' cycling as a viable form of transport for as many people as possible.
- The Bike Share Scheme should incorporate light-touch infrastructure capitalising on new technologies and systems available to locate bicycles.

Key features of the scheme are:

- Technologically advanced – in terms of infrastructure and administrative systems used.
- Flexibility – in being able to react to evolving demands and a large number of variables in a scheme such as this.
- Integration – with other transport modes within the city.
- Inclusivity – providing for a diverse range of users.
- Sustainability – in financial, environmental and social terms.

A minimum of 430 bikes and 50 hubs must be provided as part of the initial roll-out of this contract. The winning operator must have some experience of operating a bike share scheme and is allowed to sub-contract out different elements of the scheme if appropriate. It is hoped that the operator will engage with and utilise the local economy – for example through the use of local labour.

The Equality Act requires the city council to demonstrate that any negative impacts (which may include discrimination) associated with the scheme are a proportionate means of achieving legitimate aims. The Bike Share scheme's legitimate aims are highlighted above and place emphasis on the health, safety, sustainability and welfare of individuals living, working and visiting the city.

	<p>Potential impacts have been assessed in relation to (potential) users of the scheme and people in areas surrounding the proposed hubs.</p> <p>A number of benefits have been cited in the business case for the scheme and a Benefits Realisation Plan will be used to track how the scheme realises those benefits over the duration of the scheme contract. Benefits include:</p> <ul style="list-style-type: none"> • Increase in the number of jobs • Access to employment • Supporting major developments and pre-app. stage • Tourism economy • Encourage travel by modes other than the private car (positive impact on air quality) • Enhanced accessibility to cycling for residents in scheme area • High VFM return upon investment • Journey Time reductions/reliability and resilience • Identity/sense of place supporting overall cultural/aesthetic of Brighton & Hove • Increases in levels of physical activity

Assessment of overall impacts and any further recommendations⁹

For clarity all disproportionate impacts on specific groups are highlighted in the single section below.

Overall impacts and notes:

The Council's Corporate Priorities

The four strands of the council's purpose are:

- A good life: Ensuring a city for all ages, inclusive of everyone and protecting the most vulnerable.
- A well run city: Keeping the city safe, clean, moving and connected.
- A vibrant economy: Promoting a world class economy with a local workforce to match.
- A modern council: Providing open civic leadership and effective public services

The council's purpose is to provide strong civic leadership for the wellbeing and aspiration of the city.

The current Local Transport Plan outlines three key ways in which the council will help keep the city moving:

- Maintaining and renewing the transport network and its infrastructure to increase resilience
- Managing movement on the transport network, changing travel behaviour and information people's travel choices in dynamic ways to increase efficiency and sustainability.
- Improving sustainable and accessible transport infrastructure, connections, information and options to link people with places and communities, and provide a safer and more attractive environment.

LTP 4 also promotes Equality and Opportunity by setting out objectives for creating sustainable and fairer neighbourhoods. More detailed information is available on the Brighton & Hove City Council [website](#)

The Brighton & Hove Bike Share scheme provides another transport option for residents, visitors and commuters in Brighton & Hove. Cycling is a clean and efficient mode of transport for a busy and congested city.

The scheme Operator for the Bike Share scheme will ensure compliance with the Equality Act 2010 and other Equalities and Diversity related criteria. HourBike's inclusivity statement referenced specific measures to address inclusivity including:

- Tariffs aimed at a wide range of customers
- Personal Travel Planning
- Payment methods open to all

- Working with the CCG for inactive users
- Off hiring out of the network (enabling users to collect/leave a bike in an area not currently included in defined Operational area)

The EIA is considered a 'living document' and can be revised over the duration of the bike share scheme to consider and where reasonable address specific issues raised in relation to particular user groups, particularly disabled users, considering a range of impairment types.

Potential issues	Mitigating actions
<ul style="list-style-type: none"> • All ability bicycles not available for mobility impaired users • Affordability for lower income households • Bike Share hubs/stations not available in all areas of the city • Blind and visually impaired people's awareness of bike share cycle hub facilities (on and off-carriageway) 	<ul style="list-style-type: none"> • This may not be possible for initial roll-out, however the ITT requested information on inclusivity and welcomes proposals for how the scheme can be developed to include greater all-ability capacity in the bicycle fleet. • The annual membership can be paid monthly as well as annually, in order to spread the financial load. • Discounts will be given for students and other concessionary groups • Hourbike aim to work with third sector organisations such as Brighton Housing Trust and Seaside homes to facilitate access to the scheme for their tenants • A casual pay-as-you-go tariff will only require a minimum of £2 to rent a bike. The "bonus" badge tariff mechanism for renting bikes that are out of hubs means that this cost can be reduced with the £1 credit given. • The initial area was informed by an independent study produced as part of the business case for the scheme. Locations will be reviewed as the scheme develops and it is hoped that further extensions to the Bike Share scheme can be achieved in future if the scheme is successful and funding permits. <p>The rationale for the choice of hub sites derived from initial Bike Share feasibility work undertaken in 2009 (JMP, 2009) which shortlisted potential locations. The scheme area has since been informed by the Brighton & Hove Bike Share business case (SDG, 2014) which considered a range of factors including destinations,</p>

population density and local car ownership.

The shortlisting of sites followed on from this initial work. The approach taken is for hubs to be located within at least 500m of each other. In certain locations such as the city centre, there will be a higher concentration of hubs owing to the higher density of destinations (employment, retail and attractions) as well as resident population.

The identification of specific sites within these locations then took account of a range of considerations including available space, impact on car parking and prominence of the location.

Brighton & Hove's Streetscape Design Guidelines makes recommendations to:

- 'consider tonal contrasts between the item of street furniture and wider street-scene so as not to create hazards for visually impaired people'
- 'always consider how street furniture can be detected by visually impaired people' and
- 'consider the character and use of the specific street or space you are working in'

(pp12-.13 [Streetscape Design Guidelines](#))

The guidelines also recommend 'DDA compliant tapping rails [...] be provided on each cycle stand at each end of a bank of stands. (p.21)

All reasonable efforts will be made to :

- locate bike share scheme infrastructure in the carriageway or in the same line as existing street furniture zones.
- retain a minimum remaining 1.5m footway width leaving sufficient space free from obstruction for vulnerable road

- Bike Share scheme user awareness of visual/hearing impaired street users while using Bike Share scheme

users.

- avoid marked crossing points and widely used desire lines and tactile areas

The Council encourages all road users to [Share the Roads](#). We will strongly encourage the Operator to promote similar messaging in the Bike Share scheme to foster good practice/behaviour by bike share scheme users. For example, using a bicycle bell when manoeuvring can assist visually impaired people to know that a person riding a bicycle is approaching. BHCC will also encourage the Operator to refer scheme members Brighton & Hove City Council's 'cycling safely' webpage: <http://www.brighton-hove.gov.uk/content/parking-and-travel/travel-transport-and-road-safety/cycling-safely>

In the years 2017-19 the bike share scheme Operator, HourBike, will also be cross-promoting access to adult cycle training through the city Council's Access fund from Department for Transport.

Individual hubs and the scheme overall will be monitored for the duration of the contract and the EIA is a living document which can be amended to reflect any unintended and unanticipated impacts to which the Operator or Brighton & Hove City Council can respond.

RNIB has been made aware of the scheme in conjunction with council officers from BHCC transport and Equalities. The council's approach and mitigating actions have been outlined and no further scheme recommendations have been outlined from RNIB representatives.

Actions planned¹⁰

As per above and:

- The appointed Operator will be encouraged to communicate effectively on how to access the scheme (to reach the city's protected characteristic groups via organisations such as Community Works)
- The appointed Operator will be encouraged to consider feasibility of accessible bikes in future development of the scheme.
- The appointed Operator will be encouraged to promote messages similar to the council's [Share the Roads](#) campaign to foster good practice/behaviour by bike share scheme users, especially in relation to people with mobility issues, blind/partially sighted people and other road users.
- The appointed Operator in conjunction with BHCC officers will apply cited guidance to each bike hub location.
- All proposed sites requiring Traffic Regulation Orders and in public open spaces have been subject to statutory public consultation processes. All provisional sites have been made available on the council's website.

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)

Lead Equality Impact Assessment officer:

Abby Hone

Date: 14/02/17

Communities, Equality Team and Third Sector officer: Sarah Tighe-Ford

Date: 16 Feb17

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 council, 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 Clair ext: 1343

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 **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?

¹⁰ **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.

