

Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) **Background Details** - Please list ERIA background details:

ERIA Title and Summary Description	'Objection to Proposed Introduction of 24 Hour Waiting Restrictions – Dundas Street' (Report to Transport & Environment Committee on 5 October 2017)		
Service Area	Division	Head of Service	Service Area Reference No.
Place	Place Development	Michael Thain	2017P111

(b) **What is being impact assessed?** Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
1. P44	27/04/17
2. C19 and C22	
3. SO4	
4.	
5.	

(c) **ERIA Team** - Please list all ERIA Team Members:

Name	Organisation / Service Area
1. John Richmond	CEC/Transport
2.	
3.	
4.	

Part 2: Evidence and Impact Assessment

(a) Evidence Base – Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at part 3(i). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
1. Officer knowledge and experience	OKE
2. Public Consultations	PC
3.	
4.	
5.	

(b) Rights Impact Assessment – Summary - Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

Life	Health	Physical Security	Legal Security	Education and Learning	Standard of Living	Productive and Valued Activities	Individual, Family and Social Life	Identity, Expression and Respect	Participation, Influence and Voice
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Please indicate alongside each identified enhancement or infringement the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Summary of Enhancements of Rights

The proposed aim in introducing the double yellow line area is to provide a dedicated area where vehicles may wait to safely load/unload adjacent to the store, at all times of the day. Not providing an area would compromise road safety, out with the current Controlled Hours (8.30am to 5.30pm, Mondays to Fridays inclusive), in that large vehicles may have to park further from the retail unit and move the loads along the footway. Delivery vehicles may also be tempted to double park, if the single yellow line area was occupied by parked vehicles. This may place pedestrian, particularly those who are young, disabled or elderly, and the delivery persons at risk. (P44; OKE)

There are no known enhancements of rights relating to;

- rights to life
- rights to health
- rights to legal security
- rights to standard of living
- rights to productive and valued activities
- rights to identity, expression and self-respect
- rights to participation, influence and voice,
- rights to physical security
- rights to individual, family and social life

as a result of this report.

Summary of Infringement of Rights. Can these infringements be justified? Are they proportional?

There are no known infringements of rights relating to;

- rights to health
- rights to life
- rights to physical security
- rights to legal security
- rights to education and learning
- rights to standard of living
- rights to productive and valued activities
- rights to individual, family and social life
- rights to identity, expression and self-respect
- rights to participation, influence and voice,

as a result of this report.

(c) Equality Impact Assessment – Summary - Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

Age	Disability	Gender Identity	Marriage / Civil partnership	Pregnancy Maternity	Race	Religion/ Belief	Sex	Sexual Orientation
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1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Positive Impacts

It is considered that the proposals will not impact on eliminating discrimination in terms of the above protected characteristics. Blue badge holders may park on double yellow line areas where there are no loading prohibitions, which is the case in this location. There may be a slight advantage for blue badge holders in that they may find the area clear of other vehicles at night or at the weekend, allowing them access to the retail unit.

Negative Impacts

It is not considered that the proposals will have a negative impact on the duty to eliminate unlawful discrimination, harassment or victimisation of the above protected characteristics.

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts

It is considered that the proposals will not impact on the protected characteristics. The proposals aim to create a safe area for vehicles to load/unload adjacent to the retail unit requiring the service. (P28; OKE)
Negative Impacts
It is not considered that there is a negative impact on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts
It is considered that the proposals have a positive impact on the duty to foster good relations between the Council and the business community. The proposals were developed after consent was given for a mixed development to be built in the former gap site and consultations with the company proposing to operate the retail outlet.(P28; OKE)
Negative Impacts
It is not considered that the proposals have a negative impact on the duty to foster good relations between groups of the above protected characteristics.

Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(i) Evidence Gaps - Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
1. There are no known evidence gaps.	There are no proposed actions.
2.	
3.	
4.	
5.	

(ii) Recommendations - Please record SMART recommendations to (i) eliminate unlawful practice or infringements of absolute rights, (ii) justify identified infringements of rights or (iii) mitigate identified negative equality impacts.

Recommendation	Responsibility of (name required)	Timescale
1. There are no known recommendations.	There have been no responsibilities assigned.	There are no timescales concerned.
2.		

3.		
4.		
5.		

(iii) Sign Off - I, the undersigned, am content that: (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base, (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights, (iii) the ERIA recommendations are proportionate and will be delivered, (iv) the results of the ERIA process have informed officer or member decision making, (v) that the record of ERIA has been published on the Council's website / intranet or (vi) that the ERIA record has been reviewed and re-published.

Date	Sign Off (print name and position)	Reason for Sign Off (please indicate which reason/s from list (i) to (vi) above)
14/08/17	John Richmond, Traffic Orders Manager	I & II
8/9/17	Michael Thain, Head of Place Management (gillian.johnston@edinburgh.gov.uk)	i, ii, iii