



City of Edinburgh Council

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: **Parking Action Plan**

Service Area	Division	Head of Service	Service Area Reference No.
Place	Place Development	Michael Thain	2017P109

(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
WP1 - Pricing Strategy for parking charges, permits, city car club vehicles and other charges related to parking.	February 2014
WP2 - Evening and Sunday parking: restrictions on main routes and residential side streets.	February 2014
WP3 - Introduction of shared use parking places and visitors' parking permits across the CPZ.	February 2014
WP4 - Parking at Tram stops and future CPZ & PP Areas	February 2014
WP5 - Off-street parking provision WP6 - Report and Document WP7 - Information and Communications WP8 - Consultation and Equalities	February 2014

(c) **When is it due to be reviewed?** (insert furthest away date if question relates to a number of review dates) **Ongoing**

(d) ERIA Team

Please list all ERIA Team Members:

Name	Organisation / Service Area
Gavin Brown	Transport, Parking Operations Manager
Phil Noble	Transport, Senior Professional Officer
Andrew Mackay	Transport, Professional Officer
Gavin Sherriff	Transport, Professional Officer

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 3a](#). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
Council Policy and documents:	
Transport 2030 Vision	VIS
Local Transport Strategy 2014-19	LTS
Road Safety Plan for Edinburgh to 2020	RSP
Active Travel Action Plan	ATAP
Public Transport and Accessibility Action Plan	PATAP
Parking Satisfaction Survey	PSS
Parking Action Plan Consultation	CON
Service User Feedback	SUF
Census 2011	CEN
Research	RES
Officer knowledge and experience	OKE

(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

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Summary of Enhancements of Rights
<p>Right to Life: WP2 & WP3 - Evidence: VIS, LTS, RSP, ATAP, SUF & OKE Indiscriminate parking can negatively impact road safety. 75% of fatalities on Edinburgh's roads involve vulnerable road users such as; pedestrians, cyclists and children. The introduction and enforcement of parking restrictions around junctions and crossing points will improve sight-lines for all roads users and reduce the likelihood that a child will be involved in a collision. Better protection of cycle lanes from parked vehicles at peak times will improve safety cyclists and encourage more people to cycle in Edinburgh.</p> <p>Right to Health: WP1, WP2 & WP3 - Evidence: VIS, LTS, ATAP, CON, SUF, RES & OKE Healthier lifestyles can be encouraged by reducing the attractiveness of car travel to the city centre by managing parking demands through parking charges and maximum stay controls. Sunday parking charges will tackle all-day commuter parking and encourage</p>

other to consider alternative ways to travel. Providing better access for pedestrians, cyclists and public transport users will encourage the use of more sustainable modes and allow people to travel more actively, improving their own health. This will in turn contribute to a reduction in congestion and emissions leading to improved air quality and a healthier environment for people living, working and visiting Edinburgh. The proposals for a revised Pricing Strategy, whereby the charging structure for resident permits will be amended to provide increased incentive for residents to choose more environmentally friendly vehicles is designed to assist in improving air quality in the city and reduce emissions. The proposed introduction of a surcharge for diesel vehicles will encourage residents to move away from vehicles which are known to emit harmful particulates.

Right to Standard of Living: WP2 & WP3 – Evidence: LTS, PSS, CON, SUF & OKE
Resident permit holders have raised the issue of a shortage of parking spaces at weekends and in the evenings; better managed public space/streetscape allows for greater freedom of movement and a safer environment; better managed parking will reduce inconsiderate parking at junctions and public transport pinchpoints to reduce traffic congestion and result in faster journey times for bus passengers.

Right to Individual, Family and Social Life: WP3 - Evidence: LTS, ATAP, PSS, CON, SUF & OKE
Residents have raised issues about availability of nearby parking provision and parents with young children have complained about the impact on family life when they have to park some distance away from their homes. This can have a negative impact when looking after children, loading or unloading their vehicle and when it is a distance away from their property. More shared use spaces will mean greater flexibility of parking options and increase the available number of parking spaces for residents to address these concerns.

Summary of Infringement of Rights

Can these infringements be justified? Are they proportional?

Right to Legal Security: WP2 - Evidence: RES & OKE

The action to seek the use of CCTV in parking enforcement may result in privacy implications. However, personal data will be protected. Changes to enforcement activities are needed to realise all the potential benefits of the Parking Action Plan, for instance evening and weekend controls (WP2).

Right to Standard of Living: WP2 - Evidence: LTS, CON, SUF & OKE

The extension of parking charges into the evenings and at weekends could be perceived as having a negative impact on visitors' and residents' standard of living should people need to pay for their parking time or purchase a parking permit when they previously did not spend money on their parking. However, parking charges, will encourage such motorists to consider the external costs of their travel choices such as their contribution to congestion and air pollution in the city.

Right to Individual, Family and Social life: WP2 - Evidence LTS, CON, SUF & OKE

There could be a negative impact if evening and weekend parking controls discourage people visiting friends or relatives within the CPZ at these times. There could also be a negative impact on individuals' social lives if they perceive controls to be a barrier which prevents them from participating at various social activities in the evenings/weekends. However, parking charges will not prevent anyone from bringing their car into the city and finding a parking space.

A similar concern was raised by Christian church-goers regarding Sunday mornings. That Church being an important social activity for many people and parking charges would have a negative impact on many people attending and possibly stop them from giving lifts to others who cannot travel independently. However, similarly parking charges would not prevent anyone from travelling by car and may increase accessibility for those who may have mobility problems.

(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

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 [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

Sunday Parking: WP2 - Evidence: LTS, PSS, CON & OKE

Currently, Sunday afternoons experience high demands on the limited kerbside space available in the city centre. While regulations in disabled persons' parking places are in place seven days a week, the benefits provided by a disabled persons' blue badge are severely reduced by the absence of any parking restrictions. Any vehicle can park free of charge and without any time limits in any parking place or on single yellow lines. Therefore, the introduction of parking restrictions on Sunday afternoons will have a positive impact on eliminating discrimination of people with disabilities who have no option but to travel to the city centre by car on Sunday afternoons.

There are also other benefits for people with mobility problems and older people (i.e. National Entitlement Card (NEC) holders) who rely on public transport to travel around the city. Restrictions on main routes will reduce delays and improve reliability of bus journey times while access to bus stops will be improved, as they are often impeded by inconsiderate parking which will have a better opportunity of being tackled due to the greater presence of Parking Attendants on patrol on Sunday afternoons, especially on main routes.

Race can also be closely related to religion; for example there is a significant Polish community living in Edinburgh and they are more likely to be Catholic and worship on Sundays. The proposed changes to Sunday afternoons do not negatively impact other groups of people on the grounds of race.

Shared Use Parking: WP3 - Evidence: LTS, PSS, CON & OKE

The PAP aims to improve conditions for pedestrians by better protecting junctions and crossing points from parked vehicles to make it easier to walk around the city. These

facilities are currently being reviewed and appropriate restrictions will be introduced along with the shared use parking places Traffic Order. This will have a positive contribution for the protected characteristics on the grounds of; age, disability and pregnancy/maternity.

Negative Impacts

Evening and Sunday Parking: WP2 - Evidence: LTS, CON, RES & OKE.

Some Christian worshippers have said that the introduction of any parking charges on Sundays is discriminatory against them on the grounds of their religion/belief. They understand that parking charges apply on other days of the week which are Holy to other religions (such as Fridays and Saturdays), but they point to the more comprehensive public transport services available on these days. Furthermore, they state that they have no other choice but to travel at specified times, usually by car and unlike shoppers cannot change their departure times to correspond with the start of bus services. Some people have said that they would stop coming to town altogether if charges are introduced and would not be able to offer lifts to older people who, while not disabled, have mobility problems, restricting their access to an important social event. These people who rely on lifts are more likely to be older and this may also result in a negative impact for people on the grounds of age. Church officials have demonstrated that their buildings accommodate the meetings of a wide variety of social and community groups throughout the week, during the evenings. Indeed a trans-gender group considered that as they are protected under the Equality Act, introducing parking charges at times when they meet would directly reduce access to their peer support group and breach equality law.

The introduction of parking controls on Sunday afternoons only will not prevent anyone from attending Church services by car during Sunday mornings. However, this may be perceived by some to be a form of positive discrimination in favour of Christian church-goers by retaining their access to free parking on Sunday mornings. A policy by Woking Borough Council to allow church-goers reduced parking charges on Sundays resulted in a legal challenge from the National Secular Society. However, this proposal (Edinburgh's) is materially different from that originally introduced in Woking which offered reduced price parking for religious organisations while everyone else had to pay the full price for their parking time. In Edinburgh, the proposal is to start parking controls in the afternoons, for traffic management reasons when demand is higher than in the mornings, and these regulations will apply to all motorists regardless of their religious beliefs.

While afternoon controls may still have an impact on other Church activities on Sundays, data from the Edinburgh Inter Faith Association (EIFA) indicates that 27 Christian congregations meet within Zones 1 to 4 of the CPZ while 57 lie outside the area. This indicates that the proposals may only impact around a third of Churches in the city and to a small extent. Furthermore, the 2011 Census reveals that the percentage of Christians in Edinburgh is below the Scottish average.

Information on congregation numbers is difficult to ascertain, but membership of the Church of Scotland is falling. In 2004 there were 535,000 members, but by 2014 this had fallen to 380,000 - this also represents the closure of around 40 church buildings. A number of churches in Edinburgh have amalgamated and closed buildings due to lack of numbers. Therefore, evidence of this decline pre-dates the introduction of any Sunday parking controls.

Other local authorities in Scotland (Aberdeen and Dundee) have introduced parking controls on Sunday afternoons and do not offer any concessions for churches or appear to

have been questioned legally regarding their reasons. In addition, all day controls operate in Glasgow on Sundays.

The consultation elicited responses from some women who felt that evening parking controls would have a negative impact on them as without being able to bring their car into town or park close-by they would be less safe in the city at night. Parking charges will not stop anyone from using their vehicles and no evidence has been found to suggest that parking controls make streets less safe for woman, minority groups or any member of the public.

A support group for trans women undergoing gender reassignment reported that the proposals breached the Equality Act as charges and controls would restrict their access to the support group. Similarly, as above, no one will be prevented from using their vehicle if parking charges are extended slightly in the evenings.

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 [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

Evening and Sunday Parking: WP2 - Evidence: LTS, PATAP, CON, RES & OKE
Inconsiderate parking on Sundays can obstruct vehicles, cause congestion and reduce bus journey times, subsequent improvements to public transport will benefit bus passengers, which national research suggests are more likely to be of lower income or NEC concessionary pass holders. However, in Edinburgh buses are used by people from all socio-economic backgrounds and the Council's Public and Accessible Transport Action Plan predicts numbers to grow in the next five years. The removal of obstructions caused by indiscriminate parking will improve freedom of movement, in particular for those with mobility difficulties and carers who use public transport.

Blue Badge holders can park on single yellow lines thus further regulations on Sunday afternoons will prevent other motorists from parking in such locations and improve the opportunity of people with disabilities finding a parking space that are currently available to them during the rest of the week.

Blue badge holders cannot park in residents' parking places. However, those who live within the Controlled Parking Zone are entitled to a free residents' permit which allows them to do so. Furthermore, the introduction of shared use spaces will increase the provision available to blue badge holders from outside Edinburgh and allow them to park closer to their destination when visiting friends in predominantly residential areas on Sunday afternoons. No changes are proposed to disabled persons' parking places.

The proposals to charge for parking places in the city centre on Sundays will help to minimise the disadvantage of poorer people in society by creating the conditions in which the city centre can become more accessible by public transport and less reliant upon people driving to it on Sundays. This will encourage more people to come into town if there are enhanced bus services available and also tackle health inequality. New research indicates that air pollution is responsible for around 40,000 premature deaths in the UK each year and parking charges are an effective way to encourage change in travel behaviour; toward more walking, cycling and public transport use in Edinburgh.

Negative Impacts

Evening and Sunday Parking: WP2 - Evidence: LTS, CON & OKE

The results of the PAP consultation questionnaire reveal that the majority of respondents did not support the introduction of evening parking controls. Many were concerned about the negative impact on; theatres, restaurants, community groups, social activities and on the evening economy in general. A reduction in such events may reduce the opportunity for many people to participate in social 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 [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

Evening and Sunday Parking: WP2 - Evidence: LTS, RES, CON & OKE

The introduction of evening parking controls may help improve air quality in Edinburgh as people consider their travel choices more if they need to pay for their parking time. Recent research indicated that poor air quality is responsible for thousands of premature deaths in the UK each year. A slight extension of parking charges into the evenings may help reduce emissions and improve air quality, which would be beneficial for people with disabilities, such as existing permanent health problems like asthma.

Negative Impacts

No impacts identified.

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

(a) Evidence Gaps

Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
Segmentation of public transport passengers on Sundays, by trip purpose.	Discussions with Lothian Buses.
Areas of city that are not well served by public transport in evenings and weekends.	Evidence collected from public transport team and proposed LB timetables.
Extent to which bus operators will increase evening and Sunday services if controls are introduced.	Discussions with bus operators.

(b) Recommendations

Please record SMART recommendations which may include actions to

- (i) eliminate unlawful practice or infringements of absolute rights;
- (ii) justify identified infringements of rights; or
- (iii) mitigate identified negative equality impacts
- (iv) further advance equality and rights, and promote good relations.

Recommendation	Responsibility of (name)	Timescale
To complete a comprehensive ERIA for each individual Work Package that will be introduced.	Transport	Ongoing

(c) 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)
19/01/16	Gavin Sherriff	i, ii, iii, iv,
8/9/17	Michael Thain, Head of Place Development	i,ii, iii