



# Equality Impact Assessment

## Project or Service Template

|   |
|---|
| Name of the proposal, project or service  |
| <i>Provision of a shared cycle/footway facility in Alexandra Park, Hastings</i> |

|                |                         |              |                      |
|----------------|-------------------------|--------------|----------------------|
| File ref:      | <i>SCH009-RP-0002</i>   | Issue No:    | <i>P02</i>           |
| Date of Issue: | <i>22 February 2018</i> | Review date: | <i>February 2019</i> |

### Contents

|  |    |
|--|----|
| Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)                                   | 2  |
| Part 2 – Aims and implementation of the proposal, project or service .....                                       | 5  |
| Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics..... | 8  |
| Part 4 – Assessment of impact .....  | 12 |
| Part 5 – Conclusions and recommendations for decision makers .....   | 20 |
| Part 6 – Equality impact assessment action plan.....   | 22 |

## **Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)**

**1.1** The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

**1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.**

### **1.3 The Public Sector Equality Duty (PSED)**

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”

These are sometimes called equality aims.

### **1.4 A “protected characteristic” is defined in the Act as:**

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

### **1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:**

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21stCentury Families and Communities, 2008]

## Equality Impact Assessment

- Literacy/Numeracy Skills
- Part time workers
- Rurality

### **1.6 Advancing equality (the second of the equality aims) involves:**

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

### **1.7 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:**

1.7.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.7.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.7.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.

## Equality Impact Assessment

- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.7.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

## Part 2 – Aims and implementation of the proposal, project or service

### 2.1 What is being assessed?

#### a) Proposal or name of the project or service.

*The project is to convert sections of existing footpath within Alexandra Park, Hastings to a shared route to permit cycling through the Park.*

*The overall route extends between Beaufort Road at the western end and Bethune Way at the eastern end. Refer to Appendix A showing the route being proposed through the Park.*

*Further details of the route can be found within Alexandra Park, Hastings Cycle Route Review document (SCH009-RP-0001) prepared by East Sussex Highways (ESH) in December 2017.*

#### b) What is the main purpose or aims of proposal, project or service?

*East Sussex County Council (ESCC) developed a Walking and Cycling Strategy for Hastings. The Strategy focused on identifying a boroughwide network of cycle routes and was prepared in partnership with Hastings Borough Council (HBC) together with the voluntary sector and local walking and cycling groups. The Hastings Walking and Cycling Strategy was approved by ESCC Lead Member for Transport and Environment on 15 September 2014.*

*Alexandra Park forms a key link within the Walking and Cycling Strategy and will provide a continuous off carriageway route for cyclists to use.*

#### c) Manager(s) and section or service responsible for completing the assessment

*James Vaks – Project Manager, East Sussex Highways*

*ESH are responsible for the implementation of local transport schemes, on behalf of ESCC, which meet the objectives of the Council's third Local Transport Plan, namely: improving road safety, reducing congestion, improving accessibility, reduce the need and demand to travel, enhance the environment and maintain/manage the transport network.*

### 2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?

*Allowing cyclists to share Alexandra Park with pedestrians will provide a safer alternative to using on road routes. Allowing cycling in the Park will mean pedestrians will be sharing the space with cyclists with the potential for conflict between these groups of users.*

### **2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?**

*HBC own, manage and maintain Alexandra Park and are leading the delivery of the proposal to introduce a shared pedestrian and cycle facility within the Park, with ESCC providing design support through ESH. ESH will construct the shared facility in the Park.*

*To permit cycling within the Park a local byelaw will need to be amended. The byelaw change will be made by HBC.*

*Once the scheme and associated mitigation measures come into effect HBC will be responsible for the enforcement of cycling in the park. HBC propose to work with all groups including cycle groups to enforce a self-management approach, and to work with park users to highlight and challenge unacceptable behaviour by all users of the park.*

*In the initial stages, HBC officers, will design a programme for the Rangers and Wardens to have a heightened presence in the Park at specific times to engage with cyclists and deter unsafe use. Cycling outside the designated route would be liable to potential Fixed Penalty Notices for contravention of the byelaws set by HBC.*

*Following on from this initial phase of education and enforcement, HBC, with support from ESCC, will continue to monitor how the shared route is used, and should any serious concerns arise, will deploy enforcement staff to address them.*

### **2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?**

*HBC is leading on the delivery of the proposal with ESCC providing design support through ESH. ESH will construct the shared facility in the Park.*

*The Walking and Cycling Strategy for Hastings, in which the route through the Park forms part of, was prepared in 2014 by ESCC in partnership with HBC together with the voluntary sector and local walking and cycling groups. Details of the key stakeholders who were engaged with in preparing this document can be found within Appendix 3 of the Strategy document.*

### **2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?**

*To permit cycling within the Park a local byelaw will need to be changed. The byelaw change will be made by HBC.*

*The Walking and Cycling Strategy for Hastings prepared by ESCC is a strategy focused on identifying a boroughwide network of cycle routes.*

### **2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.**

*Alexandra Park is open to the public at all times.*

## Equality Impact Assessment

- 2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.**

*Not Applicable*

- 2.8 How, when and where is your proposal, project or service provided? Please explain fully.**

*Subject to ESCC Lead Member for Transport and Environment approval (programmed for April 2018) ESH will progress with the detailed design of the scheme. Given that Alexandra Park is designated by Historic England (HE) as grade II\* registered status due to its historic significance, HBC will undertake further consultation with HE during the detailed design stage. Subject to this consultation, together with further consultation with other key stakeholder groups and the outcomes of the Stage 2 Road Safety Audit process, construction will look to commence from Spring 2019. At this stage the construction programme has yet to be determined but it is anticipated that the share cycle/footway scheme will come into effect in Summer 2019.*

## Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

### 3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

| Types of evidence identified as relevant have X marked against them |   |   |   |
|---|---|---|---|
|   | Employee Monitoring Data                        |   | Staff Surveys   |
|   | Service User Data                               |   | Contract/Supplier Monitoring Data   |
|   | Recent Local Consultations                      |   | Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector       |
|   | Complaints                                      | X | Risk Assessments  |
|   | Service User Surveys                            | X | Research Findings   |
|   | Census Data                                     | X | East Sussex Demographics  |
|   | Previous Equality Impact Assessments            | X | National Reports  |
|   | Other organisations Equality Impact Assessments | X | Any other evidence?<br>Consultation feedback conducted by Hastings Borough Council in 2015. |

### 3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

*During the development of the Walking and Cycling Strategy for Hastings, ESCC carried out a consultation exercise in 2014. The consultation provided the opportunity for key stakeholders and members of the public to provide their opinion on whether the appropriate strategic routes had been identified to connect people with the places that they access for everyday journeys including for work, education and leisure town centre facilities. Of the feedback received concerns were raised on the Alexandra Park in respect to potential conflict between cyclists and pedestrians.*

*With specific reference to Alexandra Park route, this is being promoted by HBC. As scheme promoters, HBC conducted a consultation exercise in 2015 to seek feedback to proposals for a shared cycle/pedestrian route through the Park. Through this process 177 responses were received. Of these 84 responses were against the proposal to introduced shared facilities.*

*HBC also received a petition with 63 signatories against the proposal. The petition did not contain a single statement for signatories to acknowledge and add their signature against but was a collection of various comments against the proposed route. Specific concerns raised included issues of safety, signage and enforcement, as well as opposition to the principle of introducing cycling in the Park.*



### 3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

#### Design guidance/studies

*In developing the scheme reference was made to the following documents:*

- *Department for Transport (DfT) Local Transport Note (LTN) 1/12 'Shared Use Routes for Pedestrians and Cyclists';*
- *DfT LTN 2/08 Cycle Infrastructure Design;*
- *Shared Use Operational Review - Atkins 2012 (produced for the DfT).*

*For shared use schemes LTN 1/12 acknowledges that these are often implemented to improve conditions for cyclists and it is essential that they are designed to consider the needs of everyone expected to use the facility. The guidance states that poorly designed schemes and schemes where the available width is insufficient to comfortably accommodate the expected flows of pedestrians and cyclists are likely to reduce the amenity value of the route. It is acknowledged in the guidance that disabled people and older people can be particularly affected by shared use routes, but ultimately this will depend on the quality of the design. Therefore the consideration of their various needs is an important part of the design of shared use schemes and the guidance refers to the need for authorities considering the possible implementation of shared use scheme to consider their duties under the Equality Act 2010.*

*LTN 1/12 also identifies a typical scheme development process whereby the promoter of a scheme considers whether suitable and viable cycle routes can be provided on the carriageway before considering a shared use route.*

*This suggested process identified in LTN 1/12 has been followed together with the findings detailed within the Atkins 2012 Shared Use Operational Review. The outcomes of the consultation exercise carried out with those affected by the scheme, including those with particular protected characteristics, have also been taken into consideration.*

#### Consultation

*Walking and Cycling Strategy for Hastings:*

*ESCC carried out a consultation exercise in 2014. The consultation provided the opportunity for key stakeholders and members of the public to provide their opinion on whether the appropriate strategic routes had been identified to connect people with the places that they access for everyday journeys including for work, education and leisure town centre facilities.*

*Alexandra Park route:*

*HBC, as scheme promoters, conducted the consultation exercise. In April 2015, they established a Reference Group of interested groups (Friends of Alexandra Park, The Greenway Group, The Ramblers Association, Hastings and Bexhill Disability Forum, Hastings Urban Bikes) to assess the initial proposals ESCC had prepared and give early feedback to the County Council.*

## Equality Impact Assessment

*HBC carried out a public consultation from 15th June until 21st August 2015. They invited comment through the HBC website, invited comment in person at the Community Contact Centre and held a specific consultation event at Armed Forces weekend on 28th June 2015, where officers from the HBC and ESCC were available to discuss the proposed route and invite further comment.*

### **3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?**

#### Consultation

##### *Walking and Cycling Strategy for Hastings:*

*The 2014 consultation resulted in 95 representations being received with significant support for the strategy. With 71% of responses either strongly agreed or agreed that they were happy with the strategy overall. Of the feedback received concerns were raised on the Alexandra Park in respect to potential conflict between cyclists and pedestrians.*

##### *Alexandra Park route:*

*There were 177 single responses to the consultation HBC conducted from 15th June until 21st August 2015. 82 responses were identified as supporting a scheme to allow cyclists using the Park and 84 responses were against proposal to introduced shared facilities.*

*A petition with 63 signatories against the proposal was also submitted to HBC. The petition did not contain a single statement for signatories to acknowledge and add their signature against but was a collection of various comments against the proposed route. Specific concerns raised included issues of safety, signage and enforcement, as well as opposition to the principle of introducing cycling in the park.*

#### Research

*Reference: DfT LTN 1/12 'Shared Use Routes for Pedestrians and Cyclists'*

*For shared use schemes LTN 1/12 acknowledges that these are often implemented to improve conditions for cyclists and it is essential that they are designed to consider the needs of everyone expected to use the facility. It is acknowledged in the guidance that disabled people and older people can be particularly affected by shared use routes, but ultimately this will depend on the quality of the design.*

*Reference: Shared Use Operational Review (Atkins, 2012)*

*Consultants Atkins produced a report in 2012 considering the operation of Shared Use routes. This was an evidence based study into the factors which influence the design and operation of segregated (white line separating pedestrians and cyclists) and unsegregated pedestrian and cyclist shared use facilities.*

*Segregation by white line was found to be ineffective at supporting full compliance with segregation by pedestrians and cyclists. Their findings*

## Equality Impact Assessment

*indicate that average cycle speeds are not significantly faster on segregated routes compared with unsegregated ones.*

*Observations indicated that maximum cycle speed decreases as pedestrian flow increases on shared use routes. This suggests that cyclists moderate their behaviour in the presence of pedestrians.*

*On shared use routes, segregating cyclists and pedestrians reduces the width available to each user group. This reduction could have implications for the level of comfort for all users.*

*Behaviour observed during the study by both pedestrians and cyclists on segregated and unsegregated routes was judged to be considerate by both user groups. Agreement was strongest on unsegregated routes, suggesting that behaviour is more considerate on these routes, where the requirement to interact with other types of user is clearer.*

*No collisions and no conflict of any significance took place during video surveys undertaken as part of the study. Most of the interaction recorded was relatively inconsequential, where one or more users adjusted their speed/position. The most severe category of interaction observed was that of marginal conflict, where cyclists or pedestrians slowed down or changed direction but movement was calm and controlled.*

## Part 4 – Assessment of impact

### 4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

#### a) How is this protected characteristic reflected in the County/District/Borough?

*The following details have been provided by ESCC, East Sussex in Figures. These represent a projected population profile, by age, for the County and Hastings for 2018.*

| Population by age profile |         |     |          |     |
|---------------------------|---------|-----|----------|-----|
| Age Group                 | County  |     | Hastings |     |
|                           | Numbers | %   | Numbers  | %   |
| 0-10                      | 64,373  | 12  | 12,160   | 13  |
| 11-17                     | 41,157  | 8   | 7,022    | 8   |
| 18-24                     | 35,464  | 6   | 7,183    | 8   |
| 25-34                     | 52,653  | 10  | 11,204   | 12  |
| 35-44                     | 57,278  | 10  | 10,564   | 11  |
| 45-54                     | 78,101  | 14  | 13,496   | 15  |
| 55-64                     | 75,257  | 14  | 11,985   | 13  |
| 65-74                     | 74,843  | 14  | 10,334   | 11  |
| 75-84                     | 45,623  | 8   | 5,478    | 6   |
| 85+                       | 22,916  | 4   | 2,619    | 3   |
| All                       | 547,665 | 100 | 92,045   | 100 |

#### b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

*Those who are likely to be more affected by the scheme are young children or older people. As the table in section (a) shows the age profile for Hastings is similar compared with those for the County for these age groups. Hastings has a marginally higher proportion of its population who are 17 years old or younger.*

#### c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

*Yes - Older people may be more adversely affected than the general population. Older people may be less mobile or have hearing or visual impairments and consequently feel more vulnerable/less safe sharing the Park with cyclists.*

*Young children may also be more adversely affected than the general population as they may be less aware of their surroundings, potentially walking into the path of an approaching cyclist if left unsupervised.*

**d) What is the proposal, project or service's impact on different ages/age groups?**

Negative Impacts:

*Older people who feel more vulnerable/less safe sharing sections of the Park with cyclists may stop using the Park.*

*Families with young children may consider the Park's environment being less safe when sharing with cyclists and may stop visiting this amenity.*

*Feedback from the consultation HBC carried out raised concern about the safety of pedestrians, particularly those who are less mobile. There were also concerns for the safety of young children who will be less aware of approaching cyclists.*

*Response from consultation process conducted by HBC:*

*"I see this as exceptionally dangerous proposition. Children run around in the park without fear of being knocked over which will undoubtedly happen if the scheme goes ahead as per consultation plans."*

Positive Impact:

*By allowing cycling in the Park provides less confident cyclists, such as children or older people, a safe environment to cycle. Allowing cycling in the Park will also provide an environment for older people to cycle safely and remain active. This may encourage more people to cycle and use the Park.*

*Response from consultation process conducted by HBC:*

*"Glad to see that HBC are planning to develop a cycle path / shared use path in Alexandra Park. Roads around the park are hairy! With fast traffic and narrow roads (due to parking) so this is a welcome safe zone for families and kids alike. You have my full support for the scheme."*

**e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?**

*In December 2017 ESH carried out a review of the proposed route of the shared facility through the Park. Reference Alexandra Park, Hastings Cycle Route Review document (SCH009-RP-0001). The purpose of this document was to determine the suitability to introduce a cycle route in the Park and identify where measures are required to reduce the potential risks associated in providing a shared facility.*

*The review used a risk based approach to assess two scenarios. Initially a risk assessment of the proposed route considered how a cycle facility can be introduced without any modifications to the existing layout of the Park. From this exercise, it was possible to identify areas where, if left unmodified, the risks to public safety would be unacceptably high and unsuitable for the introduction of a cycle route.*

## Equality Impact Assessment

*The risk assessment was then repeated assuming that practicable mitigation measures had been carried out to reduce the level of risk. From this second assessment, it was possible to identify the residual risks and make a direct comparison between route options to determine which route, if any, presented the lowest level of risk.*

*The proposed mitigation measures are discussed in the following section.*

### **f) Provide details of the mitigation.**

*The following mitigation measures will be introduced to facilitate cycling in the Park:*

- (i) Where space permits existing paths will be increased in width to provide an effective width of 3.0m. This is the minimum recommended width for a shared use route.*
- (ii) Existing features, such as benches, signs etc. will be repositioned to provide an effective width of 3.0m.*
- (iii) To ensure sufficient forward visibility is provided along the entire route it is proposed to cut back vegetation at key locations where visibility is currently restricted. These locations have been identified in the Route Review document ESH have prepared. By improving forward visibility will allow users of the route to see other approaching users and react accordingly.*
- (iv) The use of coloured surfacing and effective use of signing and lining will be introduced at sections of the route where it is not practicable to introduce an effective width of 3.0m or at locations that are considered a higher risk of user conflict, such as locations of adjoining paths.*

*In addition to the above measures it is recommended that the scheme will proactively seek to influence the behaviour of all those using the Park through the promotion of a Code of Conduct encouraging everyone to take account of and respect each other's needs. It is proposed to introduce 'Code of Conduct' signs throughout the route.*

*As part of the design process an independent safety review (Road Safety Audit) will be conducted. The purpose of this audit will be to identify potential risks in the proposed design so that these risks can be mitigated. A post construction Safety Audit will also be conducted.*

*Once the scheme and associated mitigation measures come into effect HBC will be responsible for the enforcement of cycling in the park. HBC propose to work with cycle groups to enforce a self-management approach to cycling, and to work with park users to highlight and challenge unacceptable behaviour by all users of the Park.*

*In the initial stages, HBC officers, will design a programme for the Rangers and Wardens to have a heightened presence in the Park at specific times to engage with cyclists and deter unsafe use. Cycling outside the designated route would be liable to potential Fixed Penalty Notices for contravention of the byelaws set by HBC.*



## Equality Impact Assessment

*Following on from this initial phase of education and enforcement, HBC will continue to monitor how the shared route is used, and should any serious concerns arise, will deploy enforcement staff to address them.*

### g) How will any mitigation measures be monitored?

*It is recommended that HBC should undertake follow up user surveys once the permanent scheme and associated mitigation measures come into effect to assess the quality of their experience when using the route.*

## 4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

### a) How is this protected characteristic reflected in the County /District/Borough?

*The following details have been provided by ESCC, East Sussex in Figures. These represent a projected population profile, by disability, for the County and Hastings for 2018.*

| Category                          | County         |            | Hastings      |            |
|-----------------------------------|----------------|------------|---------------|------------|
|                                   | Numbers        | %          | Numbers       | %          |
| <i>Higher severity disability</i> | <i>29,405</i>  | <i>12</i>  | <i>5,257</i>  | <i>12</i>  |
| <i>Lower severity disability</i>  | <i>66,858</i>  | <i>27</i>  | <i>11,897</i> | <i>27</i>  |
| <i>Locomotor disability</i>       | <i>71,850</i>  | <i>29</i>  | <i>12,893</i> | <i>29</i>  |
| <i>Personal care disability</i>   | <i>37,438</i>  | <i>15</i>  | <i>6,718</i>  | <i>15</i>  |
| <i>Hearing disability</i>         | <i>26,639</i>  | <i>11</i>  | <i>4,791</i>  | <i>11</i>  |
| <i>Sight disability</i>           | <i>13,142</i>  | <i>5</i>   | <i>2,241</i>  | <i>5</i>   |
| <i>All</i>                        | <i>245,332</i> | <i>100</i> | <i>43,797</i> | <i>100</i> |

### b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

*As the table in section (a) show, the profile for Hastings is the same as the population in the County.*

### c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

*Yes - People who are less mobile, have balance problems or have hearing or visual impairments may feel more vulnerable/less safe sharing the Park with cyclists.*

### d) What is the proposal, project or service's impact on people who have a disability?

*Negative Impact:*

*By allow cycling in the Park there is a risk that disabled people and other vulnerable groups are concerned for their safety and avoid using the Park.*

*Concerns raised through the consultation process related to the shared use environment and the safety of pedestrians, particularly those with disabilities. One of the main concerns was that cyclists would not be considerate to other users of the park and more vulnerable pedestrians may not be aware of approaching cyclists.*

*Response from consultation process conducted by HBC:*

*"I do not think that a cycle path in Alexandra Park is a good idea due to the following: -*

- The park is used by walking groups, dog walkers and people with disabilities. Bicycles can be a nuisance if they go fast.*
- The lower park is used by small children who could be in danger as they often run out.*
- Presumably some cyclists will be going straight from Silverhill to the Town and will be cycling fast. I believe there is no speed limit for cycles."*

*Positive Impact:*

*By creating an off-road cycle facility through the Park will provide people who do not feel confident in cycling with a safe route to use.*

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

*Refer to 4.1 (e)*

- f) Provide details of any mitigation.**

*Refer to 4.1 (f)*

- g) How will any mitigation measures be monitored?**

*Refer to 4.1 (g)*

### **4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.**

*It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.*

### **4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact Consider men, women, transgender individuals.**

*It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.*



**4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.**

*It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.*

**4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.**

**a) How is this protected characteristic reflected in the County/District/Borough?**

*The following details have been provided by ESCC, East Sussex in Figures. These represent a projected population profile, by age, for the County and Hastings for 2018.*

*It is considered the likely age range of those who potentially will fall within this protected characteristic is between 16 and 54.*

| Population by age profile |         |     |          |     |
|---------------------------|---------|-----|----------|-----|
| Age Group                 | County  |     | Hastings |     |
|                           | Numbers | %   | Numbers  | %   |
| 0-10                      | 64,373  | 12  | 12,160   | 13  |
| 11-17                     | 41,157  | 8   | 7,022    | 8   |
| 18-24                     | 35,464  | 6   | 7,183    | 8   |
| 25-34                     | 52,653  | 10  | 11,204   | 12  |
| 35-44                     | 57,278  | 10  | 10,564   | 11  |
| 45-54                     | 78,101  | 14  | 13,496   | 15  |
| 55-64                     | 75,257  | 14  | 11,985   | 13  |
| 65-74                     | 74,843  | 14  | 10,334   | 11  |
| 75-84                     | 45,623  | 8   | 5,478    | 6   |
| 85+                       | 22,916  | 4   | 2,619    | 3   |
| All                       | 547,665 | 100 | 92,045   | 100 |

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

*As the table shows the age profile for Hastings is marginally higher compared with those for the County for these age groups.*

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

*New parents but more particularly their young children may be more adversely affected than the general population as they may be less aware of their surroundings, potentially walking into the path of an approaching cyclist if left unsupervised.*

- d) What is the proposal, project or service's impact on different ages/age groups?**

Negative Impacts:

*Women who are pregnant, may feel more vulnerable/less safe sharing sections of the Park with cyclists may stop using the Park.*

*New parents with young children may consider the Park's environment being less safe when sharing with cyclists and may stop visiting this amenity.*

Positive Impact:

*By allowing cycling in the Park provides less confident cyclists, such as families with young children, a safe environment to cycle.*

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

*Refer to 4.1 (e)*

- f) Provide details of any mitigation.**

*Refer to 4.1 (f)*

- g) How will any mitigation measures be monitored?**

*Refer to 4.1 (g)*

- 4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.**

*It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.*

- 4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.**

*It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.*

- 4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.**

*There are no other groups which have been identified which are likely to experience disproportionate, negative, neutral or positive impact.*

## 4.10 Human rights - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.

*The scheme will not have human rights implications.*

| Articles  |   |
|-----------|---|
| A2        | Right to life (e.g. pain relief, suicide prevention)  |
| A3        | Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances) |
| A4        | Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)  |
| A5        | Right to liberty and security (financial abuse)   |
| A6 & 7    | Rights to a fair trial; and no punishment without law (e.g. staff tribunals)  |
| A8        | Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)            |
| A9        | Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)                        |
| A10       | Freedom of expression (whistle-blowing policies)  |
| A11       | Freedom of assembly and association (e.g. recognition of trade unions)  |
| A12       | Right to marry and found a family (e.g. fertility, pregnancy)   |
| Protocols |   |
| P1.A1     | Protection of property (service users property/belongings)  |
| P1.A2     | Right to education (e.g. access to learning, accessible information)  |
| P1.A3     | Right to free elections (Elected Members)   |

## Part 5 – Conclusions and recommendations for decision makers

### 5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

*Introducing a package of measures to support and facilitate the scheme to allow cycling within the Park will reassure people about the behaviour of cyclists through use of code of conduct information and thereby help mitigate the negative impacts that have been identified and promote the Park as accessible and safe for all users.*

**5.2 Impact assessment outcome** Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

| X | Outcome of impact assessment  | Please explain your answer fully.  |
|---|---|--|
|   | <b>A No major change</b> – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.                     | <i>A package of mitigation measures will be introduced to facilitate cycling in Alexandra Park. These are described in paragraph 4.1 (f) of this assessment.</i>   |
| X | <b>B Adjust the policy/strategy</b> – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.   | <i>Once the scheme and associated mitigation measures come into effect HBC will be responsible for the enforcement of cycling in the Park and will work with cycle groups to enforce a self-management approach to cycling, whilst engage with all park users to highlight and challenge unacceptable behaviour by cyclists.</i> |
|   | <b>C Continue the policy/strategy</b> - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate   |  |
|   | <b>D Stop and remove the policy/strategy</b> – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed. |  |

**5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?**

*It is recommended that HBC should undertake further user surveys 12 months from when the permanent scheme and associated mitigation measures come into effect to determine/assess the quality of peoples experience when using the Park.*

**5.6 When will the amended proposal, proposal, project or service be reviewed?**

*12 months from when the permanent scheme and associated mitigation measures come into effect.*

|                 |            |                                  |  |
|-----------------|------------|----------------------------------|--|
| Date completed: | 14 Feb. 18 | Signed by<br>(person completing) | James Vaks   |
|                 |            | Role of person<br>completing     | Scheme Project Manager<br>for East Sussex Highways |
| Date:           | 22 Feb.18  | Signed by<br>(Manager)           | Chris Weedon                                       |

## Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.



The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

**Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:**

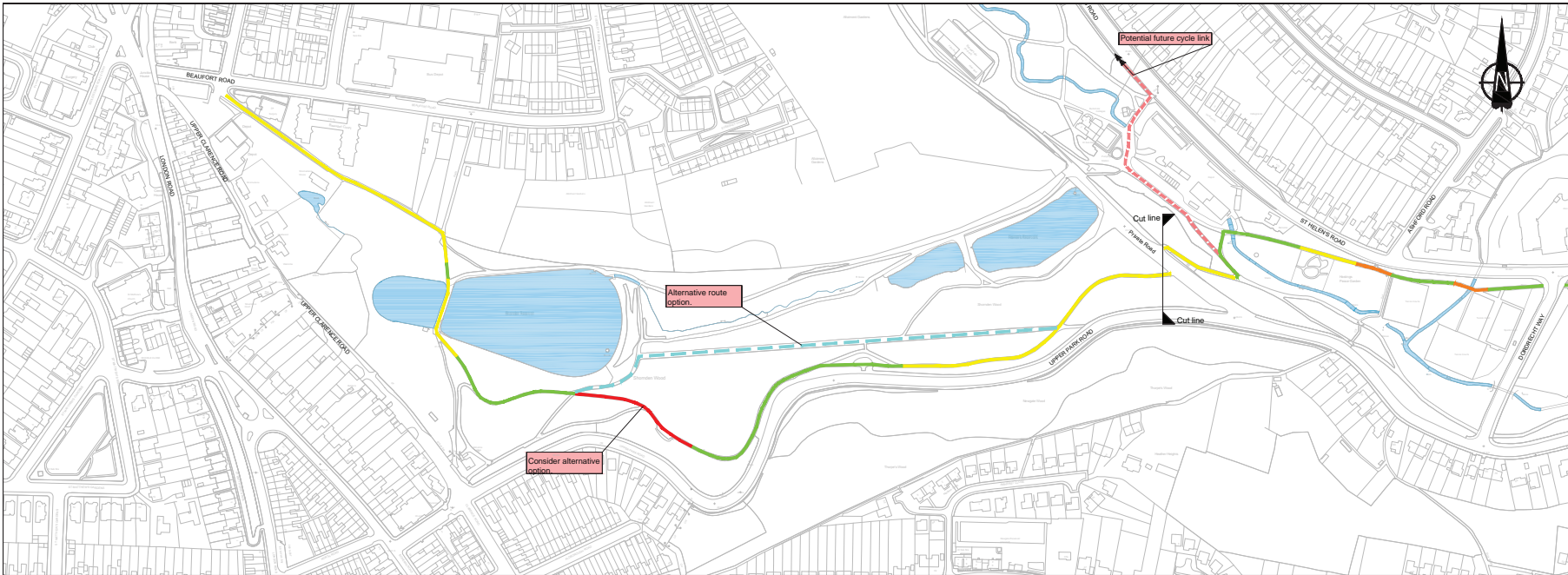
| Area for improvement | Changes proposed | Lead Manager | Timescale | Resource implications | Where incorporated/flagged?<br>(e.g. business plan/strategic plan/steering group/DMT) |
|----------------------|------------------|--------------|-----------|-----------------------|---|
|                      |                  |              |           |                       |   |
|                      |                  |              |           |                       |   |
|                      |                  |              |           |                       |   |
|                      |                  |              |           |                       |   |
|                      |                  |              |           |                       |   |

### 6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

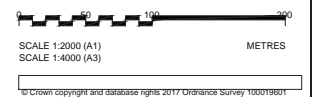
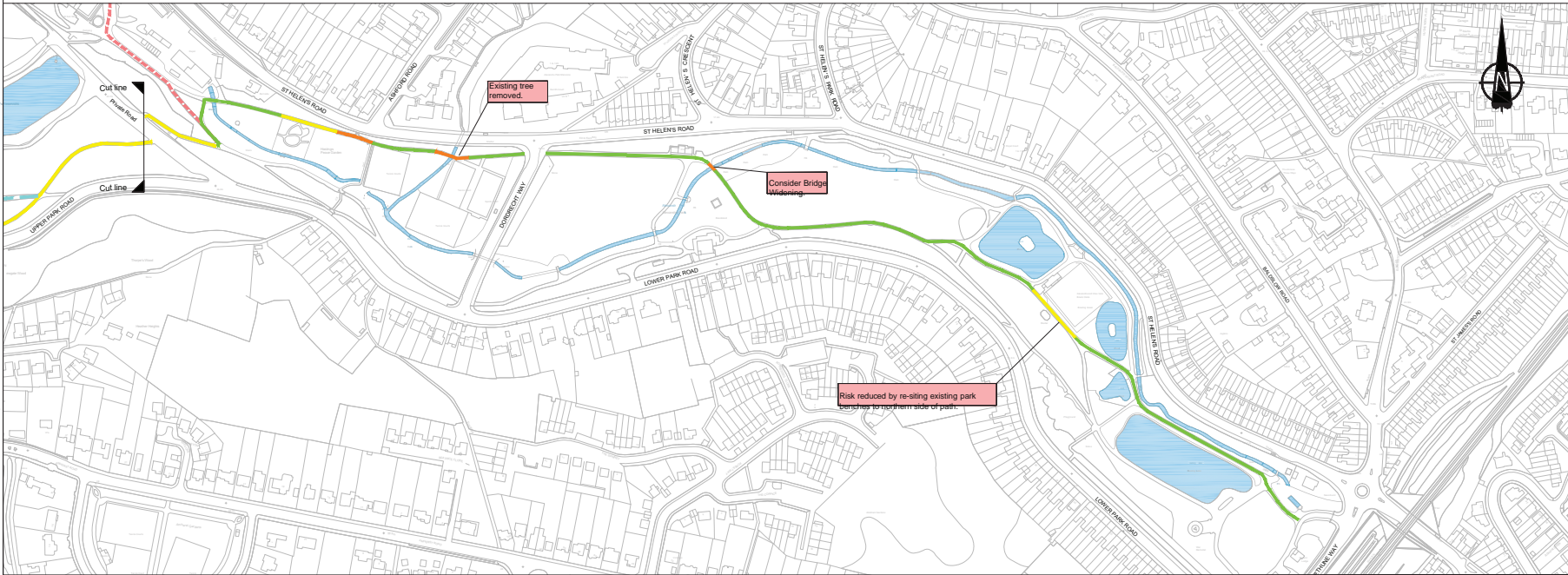
| Area of Risk | Type of Risk?<br>(Legal, Moral,<br>Financial) | Can this be addressed at<br>a later date? (e.g. next<br>financial year/through a<br>business case) | Where flagged? (e.g.<br>business plan/strategic<br>plan/steering group/DMT) | Lead Manager | Date resolved (if<br>applicable) |
|--------------|---|--|---|--------------|----------------------------------|
|              |   |  |   |              |                                  |
|              |   |  |   |              |                                  |
|              |   |  |   |              |                                  |
|              |   |  |   |              |                                  |
|              |   |  |   |              |                                  |





- NOTES:**
- 1 Background based on Ordnance Survey mapping only.
  - 2 Refer to Risk Assessment Matrices in Appendix D of Review Report for additional details.
  - 3 Risk assessment is based on the proposed layout following the introduction of mitigation measures.
- KEY**
- Sections that achieve a low risk score (1-3) and are broadly acceptable.
  - Sections that achieve a medium risk score (4-6) and are tolerable only if further mitigation measures are not reasonably practical.
  - Sections that achieve a high risk score (7-9) and are not acceptable unless further mitigation measures are applied or the design amended.
  - Sections that achieve a very high risk score (10-12) but no suitable alternative route option is available.
  - Potential future cycle link to Hastings District General Hospital.
  - Potential alternative route alignment to avoid narrow section through woodland.

## Appendix A – General Arrangement Plan



| Rev | Scale | Rev. Date  | Purpose of revision                        | Drawn | Checked | App'd |
|-----|-------|------------|--|-------|---------|-------|
| P03 | B3    | 11/05/2018 | Route alignment updated through Lower Park | IT    | JV      | JV    |
| P02 | B3    | 22/01/2018 | Minor amendments to risk classifications   | IT    | JV      | JV    |

|                  |
|------------------|
| <b>KEY PLAN:</b> |
|------------------|

**East Sussex Highways**  
A partnership between:  
SUSSEX COUNTY COUNCIL  
SUSSEX HIGHWAYS  
SUSSEX TRAILWAYS

EAST SUSSEX HIGHWAYS  
RINGMER DEPOT, THE BOYLE  
RINGMER, EAST SUSSEX, BN8 5NP  
Tel: 0245 60 60 403 www.eastsussexhighways.com

|               |  |
|---------------|--|
| Project       | ALEXANDRA PARK CYCLE FACILITY                |
| Drawing title | PRELIMINARY DESIGN<br>SUGGESTED ROUTE OPTION |

|                |                                    |               |            |
|----------------|------------------------------------|---------------|------------|
| Status         | SS                                 | Revision      | P03        |
| Scale          | 1:2000                             | Date          | 01/12/2017 |
| Drawn by       | J Tingley                          | Checked by    | J Vaks     |
| Approved by    | C Weedon                           | Original Size | A1         |
| Project No.    | 3520000                            | Design At     | Type I     |
| Drawing number | 3520000-ESH-HGN-SCH0009-DR-CH-0015 |               |            |