

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Highways Maintenance Policy and Strategy
Department and section:	Environment and Transport, Highways
Name of lead officer/ job title and others completing this assessment:	Andy Jackson – Senior Engineer (x57221) Mike Sheldrake – Team Manager (x52089) Andy Yeomanson – Team Manager Policy and Strategy (x57184)
Name of officer/s responsible for implementing this policy:	Mike Sheldrake/ Asset Management Secondment Chris Waterfield - Team Manager - Structures & Assets Andy Yeomanson – Team Manager Policy and Strategy Alex Gray – Team Manager Network Data and Intelligence
Date EHRIA assessment started:	10.10.2016
Date EHRIA assessment completed:	

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	What is new or changed in this policy? <i>What has changed and why?</i> The following Policies and Strategies are to be reviewed and revised to bring them in line with current national guidance and best practice with regard to asset management and deliver efficiencies: • Highway Maintenance Policy and Strategy • Transport Asset Management Plan (TAMP) • Street Lighting Policy & Strategy In addition the Project will also review maintenance processes and treatments, the way that data is collected and how issues around maintenance are communicated. The Project will define and implement a revised approach to Highway asset management in line with current best practice and national guidance in order to maintain the authority's high standards whilst making the necessary efficiencies over the current Medium Term Financial Strategy (MTFS) period and putting the Council in a strong position to secure future funding. The benefits of delivering this approach are considered to be: Economic • Reduced costs through efficiencies • Successful Band 3 submission to the Incentive Fund to avoid loss of £3.57million of funding (2018-21). • Strengthened position for the County Council in applying for future funding • Improved performance of assets through lifecycle management • Reduced number of accidents • A stronger bid going into round 2 of Challenge Fund. Potential to secure additional contribution typically between £5m and £10m over 3 years Non-tangible efficiencies • Increased productive time • More engaged and better trained staff results in them, and their knowledge and expertise, being retained within the Department. Social/Community • Better collaboration and communication between local communities and our highway maintenance service,
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	• Service that is better able to manage the expectations of local communities. Organisational / Reputational • Improved risk management • Meeting legal requirements • Reputation - Demonstrates Council is working to latest Guidance and Best practice in collaboration with other organisations and authorities. Environmental • Environmental - development of the Highway Infrastructure Asset Management Plan (HIAMP) and revision of policies will provide an opportunity to consider the impact of the highway maintenance strategy and processes on climate change, carbon emissions, congestion, street-scene, flood and water management and recycling opportunities.
2	Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i> Maintenance policy and strategy is also captured in the Local Transport Plan 3 (LTP3) Strategy, which underwent a full Equality Impact Assessment in 2011. As part of the Project there will be a review the Highway Network Management Plan (the key document that sets out our strategic approach to managing and developing the highway network.) and how this interrelates with other Highway Maintenance Policy and process. Environment Strategy and Carbon Reduction Strategy – The review will consider how maintenance impacts on Environmental issues and how change in policy and strategy will affect this relationship.
3	Who are the people/ groups (target groups) affected and what is the intended change or outcome for them? • All road users, motorised and non-motorised • Organisations representing different users, for example cycling groups • The county's main bus companies and road haulage companies • District councils within Leicestershire • Parish Councils • Members of the County Council • Other local partnerships • Residents of Leicestershire • Businesses • Emergency services • Visitors Highway maintenance is experiencing significant reductions in budgets and this scenario is likely to continue in the years ahead. This review is necessary in order to prioritise areas of service and meet the needs of highway users through a risk based approach to asset management. The intention is that groups will benefit from improved communication and collaboration regarding Highway maintenance issues. <u>Full list of consultees</u>

4	Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)		
		Yes	No
			How?
	Eliminate unlawful discrimination, harassment and victimisation	Y	The new policy and strategy will use a risk based approach to asset management to ensure that issues around discrimination are fully considered
	Advance equality of opportunity between different groups	Y	The revised policy will use a risk based approach to asset management to ensure the needs of all communities and road users are considered.
	Foster good relations between different groups	Y	The new policy and strategy will encourage better communication and collaboration with communities in delivery of services.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following? a) their current needs and aspirations and what is important to them; b) any potential impact of this change on them (positive and negative, intended and unintended); c) potential barriers they may face	Yes	No*
		Y	
		Y	
		Y	
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?	Y	
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of	Y	

	potential unintended impacts?		
8.	*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.		

Section 2**B: Monitoring Impact**

9.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	Y	
	b) enable open feedback and suggestions from different communities	Y	

Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2**C: Potential Impact**

10.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age	Y		Older and young people may not have the same range of travel choices or be able to change behaviour. Consideration will need to be given to how change will impact on all aspects of the highway and the way people use it Approach to maintaining assets for pedestrians and cyclists and may impact some age groups. Given potential mobility or sight needs of both older people and younger children, low prioritisation of pavement maintenance could lead to difficulties for younger and older people. The public consultation identified pavement maintenance as the second

			highest priority after roads. Concerns were also raised in the consultation that rural roads would be considered a low priority through the proposals. <i>“Residents of rural areas have an older age profile than urban residents with a median age of 45 in rural areas compared with 37 in urban areas”</i> (National Office for Statistics 2011 Census Analysis - Comparing Rural and Urban Areas of England and Wales) Access to services in rural areas is likely to be more limited meaning greater reliance on road transportation. For people in rural areas maintenance of roads may be more critical in terms accessing services. High use rural roads category was considered in the public consultation as most important for prioritisation The consultation identified proximity to key services such as hospitals/schools as an important criteria for prioritisation of highway defects A focus on packages of measures and value for money may mean isolated improvements needed for different age groups do not happen. The consultation raised general concerns that rural areas were going to be neglected as a result of cut backs Fear of crime or harassment and safety concerns on cycle-ways and footpaths can be barriers to different age groups. Lower prioritisation of cycle-ways and footpaths and the
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			street environment could potentially heighten perceptions that an area is unsafe. The public consultation identified pavement maintenance as the second highest priority after roads. Maintenance Policy and strategies are available in different formats on request but we need to ensure that all other information provided to the public is accessible. Older people are more likely to have a disability or age related health condition which means that access to emergency services and maintenance of routes to hospitals could be more significant. The Review will consider how the resilient network and critical assets are managed and will need to consider this concern.
	Disability	Y	A risk based approach to maintaining assets related to public transport, walking and cycling could lead to better consideration of the impacts of change on disabled users. Identification of a particular demographic in an area could lead to prioritisation of works through a risk based approach. Approach to maintaining assets for pedestrians and cyclists may impact more so on people who have a disability which affects their mobility or sight. A focus on packages of measures and value for money may mean maintenance schemes needed to improve disabled access don't happen. Maintenance Policy and strategies are available in

				different formats on request but we need to ensure that all other information provided to the public is accessible. For people with disability, access to emergency services and maintenance of routes to hospitals could be more significant. The Review will consider how the resilient network and critical assets are managed and will need to consider this concern. Fear of harassment and safety concerns on recreational footpaths can be barriers to those who have a disability, using these services.
	Gender Reassignment	Y		Fear of harassment and safety concerns on recreational footpaths can be barriers to those who have undergone gender reassignment or identify as transgender, using these services.
	Marriage and Civil Partnership		N	
	Pregnancy and Maternity	Y		For people who are pregnant, access to emergency services and maintenance of routes to hospitals could be more significant. The Review will consider how the resilient network and critical assets are managed and will need to consider this concern.
	Race	Y		Fear of harassment and safety concerns on recreational footpaths can be barriers to people from minority ethnic backgrounds using these services. Consideration will need to be given to how change will impact

				on all aspects of the highway and the way people use it Maintenance Policy and strategies are available in different languages and formats on request but we need to ensure that all other information provided to the public is accessible.
	Religion or Belief	N		
	Sex	Y		Fear of crime or harassment and safety concerns on cycleways and footpaths, and in car-parks can be barriers to women using these services.
	Sexual Orientation	Y		Fear of crime or harassment and safety concerns on cycleways and footpaths, and in car-parks can be barriers to LGB users.
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	Y		Low income users may not have the same range of travel choices. Maintaining / improving facilities for pedestrians and cyclists and may benefit low income users. Fear of crime or harassment and safety concerns on cycleways and footpaths can be barriers to users who are seeking asylum and refugee communities. Highways assets have the potential to impact on rural isolation depending on the approach to asset management and prioritisation of maintenance on the network. People from deprived neighbourhoods are more likely to suffer chronic ill-health, limiting illness and poorer quality of life as they grow older. They

			are more likely to have to live in areas with greater health risks, for example closer to busy roads. They suffer more from transport noise, and may well have a higher incidence of mental illness. <i>According to the Index of Multiple Deprivation Report 2015, those Local Enterprise Partnerships with the highest proportion of neighbourhoods that are in the most income deprived 10 per cent of areas nationally also have high proportions of neighbourhoods that are in the most deprived 10 per cent for health and disability. (The English Indices of Deprivation 2015)</i> For this reason, access to emergency services and maintenance of routes to hospitals could be more significant for these groups. The Review will consider how the resilient network and critical assets are managed and will need to consider this concern.
	Community Cohesion	Y	Improving access to key services by, walking and cycling may benefit low income users and promote social inclusion. Through better collaboration and consultation the Review aims to improve community cohesion A new approach to delivering highway maintenance through greater collaboration with local groups and parish councils may open up volunteering opportunities that can lead to improved community cohesion.
11.	Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick) Explain why you consider that any particular article in the Human Rights Act may		

apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]			
	Yes	No	Comments
Part 1: The Convention- Rights and Freedoms			
Article 2: Right to life		N	
Article 3: Right not to be tortured or treated in an inhuman or degrading way		N	
Article 4: Right not to be subjected to slavery/ forced labour		N	
Article 5: Right to liberty and security		N	
Article 6: Right to a fair trial		N	
Article 7: No punishment without law		N	

Article 8: Right to respect for private and family life		N	Accessing, handling or disclosing personal information. Change in the way that the Department handles data relating to customer feedback and how that information is used. Handling environmental issues, such as waste management or pollution. The impact of the Review on environmental concerns that affect lives of communities – noise, pollution etc... Provision of medical treatment or social care. The Review should consider the impact of changes on critical assets and the resilient network.
Article 9: Right to freedom of thought, conscience and religion		N	
Article 10: Right to freedom of expression		N	
Article 11: Right to freedom of assembly and association		N	
Article 12: Right to marry		N	
Article 14: Right not to be discriminated against		N	

Part 2: The First Protocol				
Article 1: Protection of property/ peaceful enjoyment	Y		How the network is managed and maintained has potential to impact on an individual's peaceful enjoyment of property.	
Article 2: Right to education		N		
Article 3: Right to free elections		N		
Section 2				
D: Decision				
12.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) this policy could have a different affect or adverse impact on any section of the community;	Y		
	b) any section of the community may face barriers in benefiting from the proposal	Y		
13.	Based on the answers to the questions above, what is the likely impact of this policy There is potential for the change to have a negative effect on communities if proper consideration is not given to the Review of asset management Strategy and Policy, more specifically to the work around network categorisation, resilient network and the risk based approach but also in how the policy is then applied and delivered on the ground. Data management will also need consideration, particularly collection and use of personal information. This assessment of impact is based on a policy and strategy that is under development. Further analysis will take place once the policy and strategy has been developed and consulted on.			
	No Impact ☐	Positive Impact ☐	Neutral Impact ☐	Negative Impact or Impact Unknown ☒
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
14.	Is an EHRIA report required?	Yes ☒	No ☐	

Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report is required, continue to [Section 3](#) on Page 7 of this document to complete.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report is not required, continue to [Section 4](#) on Page 14 of this document to complete.

Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think thoroughly about the impact of this policy and to critically examine whether it is likely to have a positive or negative impact on different groups within our diverse community. It is also to identify any barriers that may detrimentally affect under-represented communities or groups, who may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's Equality Strategy.

Section 3

A: Research and Consultation

When considering the target groups it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

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|-----|---|
| 15. | <p>Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you now explored the following and <u>what</u> does this information/data tell you about each of the diverse groups?</p> <ul style="list-style-type: none"> a) current needs and aspirations and what is important to individuals and community groups (including human rights); b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights); c) likely barriers that individuals and community groups may face (including human rights) |
|-----|---|

A public consultation on the future maintenance of roads, pavements and verges in the county has taken place and closed on the 25th September 2016. There were two parts to this survey: a general public consultation and a stakeholder consultation aimed at parish councils, transport groups, businesses and equalities groups.

The consultation asked questions regarding satisfaction with highway maintenance and reporting of issues, future priorities for maintenance and potential areas of collaboration.

The consultation responses have been analysed and used to develop the revised Highway Maintenance Policy and Strategy. From the responses it has been possible to collate issues relating to equalities and human rights. The general public consultation collected equality and diversity data for consultees, allowing additional analysis to take place for specific demographics that were considered to potentially be more impacted upon by the proposals.

It was considered through the screening process that the greatest potential impact was on older age groups, groups with a long standing illness, disability or infirmity and carers of young persons aged 10 or younger.

There were a number of concerns raised through the consultation around rural roads becoming considered a low priority through the proposals. With this in mind further analysis of the differences in responses between those in rural areas and those more urban areas has taken place.

Current needs and aspirations and what is important to individuals and community groups (including human rights)

Consultation open comments

Proposal 1 of the consultation was to prioritise high risk repairs when responding to highway defects and focus resources on planned repairs and preventative maintenance.

Q6 Criteria for prioritisation of planned highways maintenance

Stakeholders were asked if there is anything the council should consider regarding prioritisation of schemes. The suggestions made included; consider the proximity of specific service users or locations such as schools or care homes, focus on the quality of repairs and maintenance to ensure work has a longer lifespan, and consider implementing a fixed frequency maintenance review programme.

Of the 127 respondents who provided comment, 17 said the risk to public safety should be a high priority in the assessment of prioritisation, and eight felt the impact of the defect or issue upon cyclists and motorcyclists should be taken into consideration.

“Proximity to schools and elderly persons homes”

“I am concerned that priority will be given to towns with the rural roads seeing a marked lowering of the level of maintenance”

“A narrow hole in the road presents an insignificant risk to a car but could be a life threatening risk to a cyclist”

“Taking out such humps would reduce the need for maintenance and the cost of replacing the hump.”

“Drop kerbs to be opposite each other not staggered lips between road and pavement made smaller for people using rollators”

“Amount of use as a criterion discriminates against rural communities and should not be included”

Respondents also voiced a number of concerns; 12 felt the maintenance of minor roads and rural areas could suffer as a result of the proposal of prioritisation, seven voiced concern for whether the needs of cyclists and motorcyclists would be considered, and eight made the same query for other specific service users.

“Rural areas may have less use but the impact on users can be high especially where people are reliant on cars”

“Failing to keep the verge back may be inconvenient for a motorist but makes a cyclist invisible”

“This will impact on encouraging people to walk, cycle or get horses off the road. Roads are getting more and more dangerous in the countryside and horse riders would much prefer to use bridleways and verges if at all possible but many of them are unusable due to overgrown weeds, brambles and hedges”

Concerns were raised about the impact on rural communities although I do not have the specific concerns regarding this.

Overall proximity to specific users such as schools was felt to be a priority by consultees.

Q7 Criteria for deciding the priority of highway defects

Again concerns were raised regarding the potential impacts of proposals on rural communities and “specific road users”.

With regard to prioritising resources on different types of roads/footway (Q8), it was felt by consultees that high use, rural roads should be given the highest priority.

Proposal 2 was to reduce the number of items the council looks after directly and/or reduce how regularly they are maintained. Stakeholders were asked to what extent they agreed or disagreed with this proposal.

The main concern with this approach was for the safety of highway users. In terms of reducing the coverage of highways services (Q11) those that it was least felt could be reduced were: Roadside drains, gullies and culverts, roads, pavements, grass cutting and street lights.

Safety/liability concerns attracted the largest number of comments, with respondents often expressing concerns over the safety impacts of reducing or removing certain aspects or maintenance, including specific references to cycle lanes, roads and lighting.

A common theme for many respondents was support for reviewing, removing or reducing specific features, including multiple references to lighting, road signs, speed humps, bollards and fencing.

Traffic calming features to be the item respondents most felt could be reduced, with 76.9% saying ‘To some extent’ or ‘A great deal’.

Proposal 3

Involve communities directly in maintaining streetscape and road-side environment.

There was positive reflection on the use of local knowledge to address local issues, with most of these comments indicating general support for the proposals.

Another positive theme which reflected support for community involvement was the feeling that the proposals were a good driver for community collaboration and civic pride within local areas.

Many respondents expressed concern over the willingness and/or ability of the community to take on responsibilities.

Respondents also expressed concern over the cost/resources needed, including equipment and funding, with a number of these comments expressing specific concern over whether the local parish council would have sufficient funding/resources

Q20 Full cost recovery

Respondents were asked to what extent they agreed or disagreed with the council seeking full cost recovery for some items requested by the public e.g. new dropped kerbs for driveways, bollards, and white line H-bar entrance markings idea of three group.

Other respondents raised some concerns; 30 felt such works are sometimes essential for disability or safety issues, 16 felt current costs are too high and should not be raised further, and nine felt the proposal could have a negative impact on economically deprived residents.

Q22 Other comments

Some respondents also voiced a number of concerns; 25 provided a negative comment about the current highways service, 16 were critical of previous and current council strategy and planning, 12 felt concerned for specific service user groups, and ten were critical of the consultation process.

"Vulnerable road users look to be ignored by plans to address "the most important" defects"

Further analysis by demographic group to understand likely impacts and barriers

Through the screening process it was considered that the groups who potentially most affect by the proposals were older and younger age groups and those with a disability. The consultation highlighted that there are also concerns about the impacts of the proposals on rural roads. In order to further investigate these issues the responses to the public consultation from those groups were analysed further.

This report focuses on comparing the responses made by different demographics within the following categories. The number of respondents per demographic are also listed.

Q29: Do you have a long-standing illness, disability or infirmity?

Yes: 77

No: 340

Q25: What was your age on your last birthday? (ages aggregated into groups)

Up to 54: 219

55 or over: 185

Q27: Are you a parent of carer of a young person aged 0-10? (responses aggregated into groups)

Yes: 50

No: 374

Q28: Are you a carer of a person aged 18 or over?

Yes: 42

No: 377

Q26: What is your full postcode? (responses used to determine Rural-Urban Classification 2011)

Rural hamlets and isolated dwellings/rural village: 84

Rural town and fringe: 65

Urban city and town: 238

For a given demographic to qualify for statistical comparison to other demographics, 30 or more respondents of that demographic were required to have answered the question.

Impacts and barriers for specified demographics

Age

1. Older and young people may not have the same range of travel choices or be able to change behaviour. Consideration will need to be given to how change will impact on all aspects of the highway and the way people use it
2. Approach to maintaining assets for pedestrians and cyclists may impact some age groups. Given potential mobility or sight needs of both older people and younger children, low prioritisation of pavement maintenance could lead to difficulties for younger and older people.

Consultation evidence

Significantly higher proportion of respondents aged 55 or over (34.3%) were dissatisfied with the condition of pavements in Leicestershire, compared to respondents aged under 55 (15.6%). However, a significantly higher proportion of parents/carers of children aged 0-10 (63.3%) were satisfied with the condition of roads in Leicestershire, compared to those who were not parents/carers of children aged 0-10 (43%).

On the whole, respondents of children aged up to 10 years old reacted more positively to the consultation compared to respondents who were not parents of this age group. These parents were more likely to be satisfied with the condition of roads, and roadside drains, gullies and culverts in Leicestershire. They were also more likely to be satisfied with the way the council deals with potholes and damaged roads, damaged pavements and footpaths, and the enforcement of cutting back of overgrown hedges/trees obstructing roads and pavements or hiding road signs.

3. Concerns were also raised in the consultation that rural roads would be considered a low priority through the proposals. *“Residents of rural areas have an older age profile than urban residents with a median age of 45 in rural areas compared with 37 in urban areas”* (National Office for Statistics 2011 Census Analysis - Comparing Rural and Urban Areas of England and Wales)
4. High use rural roads category was considered in the public consultation as most important for prioritisation.
5. A focus on packages of measures and value for money may mean isolated improvements needed for different age groups do not happen. The consultation raised general concerns that rural areas were going to be neglected as a result of cut backs

Consultation evidence

Older aged groups were found to be more likely to never cycle and more reliant on public transport. Access to services in rural areas is likely to be more limited meaning greater reliance on road transportation. For people in rural areas maintenance of roads may be more critical in terms accessing services.

Of those living in rural hamlets or villages 100% used the car at least once a week.

6. The consultation identified proximity to key services such as hospitals/schools as important criteria for prioritisation of highway defects. Resilience of the network may have a greater importance to older age groups.

Consultation evidence

There are proportionally higher levels of dissatisfaction with winter roads and the condition of drains, gullies and culverts amongst the 55 and older group.

7. Fear of crime or harassment and safety concerns on cycle-ways and footpaths can be barriers to different age groups. Lower prioritisation of cycle-ways and footpaths and the street environment could potentially heighten perceptions that an area is unsafe.

Consultation evidence

A higher proportion of respondents aged 55 or over were dissatisfied with the condition of pavements and how the council deals with repairs to pavements and footpaths compared with those under the age of 55. The 55 and overs also felt to a greater extent that the condition of the street environment could be improved.

8. Maintenance Policy and strategies are available in different formats on request but we need to ensure that all other information provided to the public is accessible.
9. Older people are more likely to have a disability or age related health condition which means that access to emergency services and maintenance of routes to hospitals could be more significant. The Review will consider how the resilient network and critical assets are managed and will need to consider this concern.

Consultation evidence

Significantly higher proportion of respondents aged 55 or over (6.7%) said they used a wheelchair or mobility scooter once a month or more, compared to respondents aged under 55 (0.6%).

Significantly higher proportion of respondents aged 55 or over (81.5%) said they never cycle (commuting to or from work/school), compared to respondents aged under 55 (67%)

Human Rights and the 55 and overs

Part 1 Article 8 and Part 2 Article 1

Handling environmental issues, such as waste management or pollution. The impact of the Review on environmental concerns that affect lives of communities – noise, pollution etc...

Provision of medical treatment or social care. The Review should consider the impact of changes on critical assets and the resilient network.

How the network is managed and maintained has potential to impact on an individual's peaceful enjoyment of property.

Consultation evidence

Significantly higher proportion of respondents aged 55 or over (47%) said nuisance was more important, compared to respondents aged under 55 (32.7%). The 55 and overs also showed greater dissatisfaction with condition of the environment.

There are proportionally higher levels of dissatisfaction with winter roads and the condition of drains,

gullies and culverts amongst the 55 and older group

Disability

1. A risk based approach to maintaining assets related to walking and cycling could lead to better consideration of the impacts of change on disabled users. Identification of a particular demographic in an area could lead to prioritisation of works through a risk based approach.
2. Approach to maintaining assets for pedestrians and cyclists users may impact more on people who have a disability which affects their mobility or sight.

Consultation evidence

Significantly higher proportion of respondents with a long-standing illness, disability or infirmity (37.8%) were dissatisfied with the condition of pavements in Leicestershire, compared to respondents without a long-standing illness, disability or infirmity (20.1%)

Significantly higher proportion of respondents with a long-standing illness, disability or infirmity (59.5%) said street lights could be reduced in number 'not very much/not at all', compared to those without a long-standing illness, disability or infirmity (43.9%).

When asked the question, "which of the following items/services do you think we could consider reducing the frequency of maintenance", a significantly higher proportion of respondents with a long-standing illness, disability or infirmity (44.9%) selected cycle routes/lanes, compared to those without a long-standing illness, disability or infirmity (30.9%).

3. A focus on packages of measures and value for money may mean maintenance schemes needed to improve disabled access don't happen.

Consultation evidence

Although correlations were not found to back this up in terms of responses from disabled consultees, specific concerns were drawn from comments made through the public consultation.

With regard to full cost recovery for new dropped kerbs etc... 30 respondents felt such works are sometimes essential for disability or safety issues

"Vulnerable road users look to be ignored by plans to address "the most important" defects"

"Drop kerbs to be opposite each other not staggered lips between road and pavement made smaller for people using rollators"

4. Maintenance Policy and strategies are available in different formats on request but we need to ensure that all other information provided to the public is accessible.
5. For people with disability, access to emergency services and maintenance of routes to hospitals could be more significant. The Review will consider how the resilient network and critical assets are managed and will need to consider this concern.

Consultation evidence

This element was not drawn out from the additional analysis of the consultation. Further investigation may be required.

6. Fear of harassment and safety concerns on footpaths can be barriers to those who have a

disability, using these services.

Consultation evidence

Significantly higher proportion of respondents with a long-standing illness, disability or infirmity said street lights could be reduced in number and frequency of maintenance 'not very much/not at all', compared to those without a long-standing illness, disability or infirmity.

7. A new approach to delivering highway maintenance through greater collaboration with local groups and parish councils may open up volunteering opportunities that can lead to improved community cohesion.

Rural isolation

The consultation picked up a significant number of concerns regarding the impacts of changes to highway maintenance on rural communities.

There were a number of concerns raised through the consultation around rural roads becoming considered a low priority through the proposals. With this in mind further analysis of the differences in responses between those in rural areas and those more urban areas has taken place.

With regard to prioritising resources on different types of roads/footway (Q8), it was felt by consultees that high use, rural roads should be given the highest priority

"I am concerned "Amount of use" as a criterion discriminates against rural communities and should not be included"

that priority will be given to towns with the rural roads seeing a marked lowering of the level of maintenance"

12 Respondents felt the maintenance of minor roads and rural areas could suffer as a result of the proposal of prioritisation,

"Rural areas may have less use but the impact on users can be high especially where people are reliant on cars"

Further analysis of responses from those living in rural hamlets and villages to place to explore this further. Respondents were more likely to use a horse as transport about once a week or more compared to those from latter areas, placed greater value on maintaining unsurfaced rural tracks and lanes, were more dissatisfied with the condition of the Rights of Way network, and more dissatisfied with the way the council deals with unlit street lights. However whilst these respondents were less willing for grass cutting between villages (rural verges) to be reduced in frequency of maintenance, or be shared or devolved, they were more willing for shrubs and flower beds to be dealt with in these ways.

The Policy does not discriminate between rural or urban roads in terms of the criteria used through the hierarchy and risk based approach.

16.	Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?
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The following further data gathering/consultation is recommended:

- A workshop for physical disability related groups.
- Advice sought from the Leicestershire Equalities Challenge Group
- Consultation with Older People Engagement Network.
- Further general consultation on the developing policy and strategy
- Consideration of impacts on more isolated rural communities, with further consultation if required.
 - <http://www.telegraph.co.uk/news/uknews/road-and-rail-transport/10569800/Rural-communities-more-isolated-as-public-transport-forgotten.html>
 - http://www.leics.gov.uk/rural_.pdf
 - [Cornwall Rural Highways Best Practice](#)
 - http://www.dorsetaonb.org.uk/assets/downloads/Rural_Roads_Protocol/RORH_55-108.pdf
- Impacts on income deprived areas – a number of open comments were received through the A-roads to Zebras consultation around the risk to damage to vehicles, the impacts of full cost recovery on economically deprived neighbourhoods and cost in general.

“This (full cost recovery) is something that should be means tested”

When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.

17.	Based on the gaps identified either in the EHRIA Screening or independently of this process, <u>how</u> have you further consulted with those affected on the likely impact and <u>what</u> does this consultation tell you about each of the diverse groups?
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1. A focus group meeting took place with the Older People Engagement Network, from which there were a number of responses regarding delivery of Highway Asset Management. The key points raised at this meeting were:

- They felt there needed to be greater clarity over where LCC's areas of responsibility lie
- They wanted to know where people can get information about who looks after the matters that LCC is not responsible for,
- Views were expressed that Parish Councils feel put upon and communication was lacking
- There was a comment about contractor's poor behaviour – leaving cones and rubbish lying around and not leaving workspaces tidy.

No specific concerns were raised regarding the draft Highway Asset Management Policy or Strategy (AMP and AMS). The issues above are largely about communication and a review of how LCC communicates with its customers is part of the work of the Highways Maintenance Review Project. Most comments in the meeting were expressions of frustration around feeling ignored when raising local issues regarding the highway.

2. A Task and Finish Group meeting with Leicestershire Equalities Challenge Group (LECG) took place on the 24th April to assess the potential impacts of the implementation of the Draft AMP and AMS and offer advice to mitigate these impacts.

- The group was supportive of the risk based approach proposed in the Draft AMP and AMS if a proper understanding of the communities served was in place in order to apply it fully. The issue of understanding the community and communication was one that was raised on a number of occasions throughout the meeting, particularly around an understanding the implications of an ageing population in the County.
- Concerns were raised regarding issues outside of the immediate scope of the Review Project but which nevertheless need addressing. These concerns were around the planning of new developments and design of highway assets for people with disabilities. Mitigation for this is a proper understanding of the requirements of disabled people in order to design spaces which meet their requirements, particularly around safety.
- Design specific issues were raised with regard to the angle of tactile paving and the provision of flagstone and block paving, both of which can cause trip hazards.
- A suggestion was made that complaints and insurance claims were analysed in order to get information about whether the complainant or claimant had a disability; this would help the authority to better understand the issues.

18.	Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?
	Follow up contact from Vista expressing an interest in further involvement, following an email to disability groups regarding the Draft AMP and AMS.

Section 3

B: Recognised Impact

19.	Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are <u>likely</u> be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.	
		Comments
	Age	A potential deterioration in the overall network could lead to those with mobility or sight issues experiencing greater difficulty in navigating highway A reduction in functioning lighting columns may impact on older people that have problems with sight.
	Disability	A potential deterioration in the overall network could lead to those with mobility or sight issues experiencing greater difficulty in navigating highway A reduction in functioning lighting columns may impact on disabled people that have problems with sight.
	Gender Reassignment	
	Marriage and Civil Partnership	
	Pregnancy and Maternity	
	Race	
	Religion or Belief	

	Sex	
	Sexual Orientation	
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	
	Community Cohesion	

20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are <u>likely</u> apply to your policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		Comments
	Part 1: The Convention- Rights and Freedoms	
	Article 2: Right to life	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	
	Article 4: Right not to be subjected to slavery/ forced labour	
	Article 5: Right to liberty and security	
	Article 6: Right to a fair trial	
	Article 7: No punishment without law	
	Article 8: Right to respect for private and family life	
	Article 9: Right to freedom of thought, conscience and religion	
	Article 10: Right to freedom of expression	
	Article 11: Right to freedom of assembly and association	

	Article 12: Right to marry	
	Article 14: Right not to be discriminated against	
	Part 2: The First Protocol	
	Article 1: Protection of property/ peaceful enjoyment	
	Article 2: Right to education	
	Article 3: Right to free elections	
Section 3		
C: Mitigating and Assessing the Impact		
Taking into account the research, data, consultation and information you have reviewed and/or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.		
21.	If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.	
With proper consideration through a risk-based approach, the revised policy and strategy will not discriminated against groups with protected characteristics. In developing the risk based approach LCC should consider its understanding of the communities in Leicestershire. Further reviews of Policy and Strategy should include consultation with Leicestershire Equalities Challenge Group and other relevant parties as required		
N.B.		
i) If you have identified adverse impact or discrimination that is <u>illegal</u>, you are required to take action to remedy this immediately. ii) If you have identified adverse impact or discrimination that is <u>justifiable or legitimate</u>, you will need to consider what actions can be taken to mitigate its effect on those groups of people.		
22.	Where there are potential barriers, negative impacts identified and/or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination. a) include any relevant research and consultations findings which highlight the best way in which to minimise negative impact or discrimination b) consider what barriers you can remove, whether reasonable adjustments may be necessary, and how any unmet needs that you have identified can be addressed c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why	

- Consideration of best practice and responsibilities under the Equalities Act with regard to disability and access.
 - <http://www.disabilitywales.org/toolkit/disability-rights-and-equality-the-responsibilities-of-and-implications-for-the-planning-profession/building-an-effective-working-relationship-and-engagement-process/>
 - <http://www.disabilitywales.org/toolkit/wp-content/uploads/sites/3/Good-Practice-Guidance-Toolkit-E.pdf>
 - [Planning and access for disabled people: a good practice guide](#)
 - Representation at a highway asset management related group?
 - [DfT guidance on Inclusive Mobility](#)

Also see 17

Section 3

D: Making a decision

- | | |
|------------|---|
| 23. | Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights. |
|------------|---|

With proper consideration through a risk-based approach, the revised policy and strategy will not discriminated against groups with protected characteristics. In developing the risk based approach LCC should consider its understanding of the communities in Leicestershire.

Further reviews of Policy and Strategy should include consultation with Leicestershire Equalities Challenge Group

Section 3

E: Monitoring, evaluation & review of your policy

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|------------|--|
| 24. | <p>Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?</p> <p>We have committed to feeding back outcomes from the EHRIA process to those already engaged. In addition it is proposed that LECG are involved in any future amendments to policy and procedure where it may impact on equalities.</p> <p>A review of Equalities around Highways Asset Management will be required as part of the development of the HIAMP and this will present a further opportunity for review.</p> <p>A suggestion was made during the consultation that complaints and insurance claims were analysed in order to get information about whether the complainant or claimant had a disability; this would help the authority to review its findings and better understand the issues.</p> <p>Future satisfaction surveys should be used to review the service around equalities and human rights.</p> |
|------------|--|

25.	How will the recommendations of this assessment be built into wider planning and review processes? <i>e.g. policy reviews, annual plans and use of performance management systems</i> <i>Policy reviews should include review of previous EHRIAs and consultation with LECG</i> <i>Performance management should include a review of equality and human rights impacts</i> <i>See q23</i>
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Section 3:
F: Equality and human rights improvement plan

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when
To ensure the needs of older people and those with disabilities are considered in service delivery	To ensure the needs of older people and people with disabilities are considered during the development of a risk based approach and integrated into the risk based approach.	Specific action documented around this in the risk based approach to consider the needs of those with protected characteristics	??	November 2017
To further consider equality issues through service delivery	To assess the equality implications of the developing HIAMP	EHRIA conducted	AJ	October 2017
To ensure we understand how our procedures impact on communities, particularly the implications for protected characteristic groups.	To consider equalities and human rights in development of our procedures	Consideration of requirements undertaken	??	September 2017

Protected characteristic groups continue to be able to access key emergency services through the development of the resilient network	Future reviews of the Resilient Network take account of equality and human rights implications of decisions taken	Process documented	??	By next review of RN
To gain a proper understanding of impacts of service changes on protected characteristic groups	Invite representative from LECG or similar group to review future changes to policy.	LECG consulted	??	As required
The needs of customers with protected characteristics are understood through the process of collecting customer feedback , complaints and insurance claims and reported through our performance management process	To consider approach to equality issues through our complaints procedure and performance management process	A report documenting conclusions	??	December 2017

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your [Departmental Equalities Group](#) and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to louisa.jordan@leics.gov.uk, Members Secretariat, in the Chief Executive's department for publishing.

Section 4

A: Sign Off and Scrutiny

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening ☒

Equality and Human Rights Assessment Report ☒

1st Authorised Signature (EHRIA Lead Officer):
Date: 09/06/2017



2nd Authorised Signature (DEG Chair):
Date: 09/06/2017

