

<p>What is the decision Executive is being asked to make?</p> <p>Please add a summary of relevant legislation and whether the proposed decision conflicts with any of the Council’s key strategic priorities</p>	<p>Budget Proposal 2017/18: Reduction in Highway and Drainage Maintenance</p> <p>As the Highway Authority, the Highways Act 1980 (Section 41) imposes on the Council the duty to maintain highways maintainable at public expense.</p> <p>Highway maintenance supports the Council’s key Strategic Aim to provide ‘A stronger local economy’ and Priority to ‘Deliver or enable key infrastructure improvements in relation to roads, rail, flood prevention, regeneration and the digital economy’. Whilst the proposed reductions may have a negative impact on routine maintenance functions like pothole, edge of carriageway repairs and drainage repairs, the Council’s duty to maintain and 3 Year Highway Improvement Programme should not be affected by the proposed reductions.</p>
<p>Budget Holder for item being assessed:</p>	<p>Melvyn May</p>
<p>Name of assessor:</p>	<p>Mark Edwards</p>
<p>Name of Service & Directorate</p>	<p>Highways and Transport, Environment Directorate</p>
<p>Date of assessment:</p>	<p>21/12/2016</p>
<p>Date Stage 1 EIA completed:</p>	<p>7/10/2016</p>

STEP 1 – Scoping the Equality Impact Assessment

<p>1. What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.</p>			
<p>Service Targets</p>		<p>Performance Targets</p>	
<p>User Satisfaction</p>		<p>Service Take-up</p>	
<p>Workforce Monitoring</p>		<p>Press Coverage</p>	
<p>Complaints & Comments</p>		<p>Census Data</p>	
<p>Information from Trade Union</p>	<p>x</p>	<p>Community Intelligence</p>	
<p>Previous Equality Impact Analysis</p>		<p>Staff Survey</p>	
<p>Public Consultation</p>	<p>x</p>	<p>Other (please specify)</p>	

2. Please summarise the findings from the available evidence for the areas you have ticked above.

Unison pointed out how the reductions to the budget for road surfacing and drainage will hit hardest in rural areas and impact on the council's aspiration to maintain a high quality of life in our communities. They also questioned what would happen in the event of unforeseen events such as severe weather, new statutory responsibilities, inspection failures or insurance claims if the proposed cuts were made.

The majority of the 64 responses agreed that the proposed cut in the patching and drainage budgets were a false economy and would result in more surface water and potholes, leading to more accidents and claims for damage. Whilst some commented on the affect these cuts would have on cyclists, very few commented on the impact these cuts would have on the visually impaired and elderly. The general consensus was that these proposed cuts would affect all users equally.

3. If you have identified any gaps in the evidence provided above, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research eg a needs assessment?

If 'No' please proceed to Step 2.

No.

STEP 2 – Involvement and Consultation

1. Please outline below how the findings from the evidence summarised above when broken down, will affect people with the 9 protected characteristics. Where no evidence is available to suggest that there will be an impact on any specific group, please insert the following statement '*There is no evidence to indicate that there will be a greater impact on this group than on any other.*'

Target Groups	Describe the type of evidence used, with a brief summary of the responses gained and links to relevant documents
Age – relates to all ages	<p>We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation.</p> <p>Many felt that reduced maintenance standards would result in more surface water and potholes, leading</p>

	<p>to more accidents and claims for damage. Several people commented that such cuts were a false economy and as a consequence, ill conceived and short sighted. There was a focus on drainage and the implications this cut may have on flooding, deteriorating road condition/potholes and an increase in claims for vehicle damage. Many highlighted the potential risk the cuts would have on cyclists. Very few commented on the visually impaired or elderly.</p> <p>The general consensus was that these proposed cuts would affect all users equally, however, six commented on the affect these reductions may have on cyclists and two on the affect these reductions may have on the visually impaired and elderly. Whilst the proposed reductions do not directly affect the promoted footway network, to minimise the impact of these reductions, the Council will continue to routinely inspect the entire network to ensure that it remains in a safe condition for all users.</p>
<p>Disability - applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.</p>	<p>We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation. The proposed changes do not specifically impact on the disability group. The proposed reductions affect the carriageway, not the promoted footway network; however, to reduce the impact of these reductions on users with disabilities, the Council will continue to routinely inspect the network to ensure that it remains in a safe condition.</p>

<p>Gender reassignment - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical supervision.</p>	<p>We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation. No particular gender reassignment group will be disadvantaged.</p>
<p>Marriage and Civil partnership –.protects employees who are married or in a civil partnership against discrimination. Single people are not protected.</p>	<p>We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation. No particular Marriage and Civil partnership group will be disadvantaged.</p>
<p>Pregnancy and Maternity - protects against discrimination. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place</p>	<p>We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation. No particular Pregnancy and Maternity group will be disadvantaged.</p>
<p>Race - includes colour, caste, ethnic / national origin or nationality.</p>	<p>We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation. No particular race group will be disadvantaged.</p>
<p>Religion and Belief - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.</p>	<p>We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage</p>

	Maintenance consultation. No particular Religion and Belief group will be disadvantaged.
Sex - applies to male or female.	We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation. No particular sex group will be disadvantaged.
Sexual Orientation - protects lesbian, gay, bi-sexual and heterosexual people.	We undertook a public consultation of all user groups as part of the council's budget proposals consultation between 31 October 2016 and 11 December 2016. 64 responses were received to the Highway and Drainage Maintenance consultation. No particular Sexual Orientation group will be disadvantaged.

2. Who are the main stakeholders (eg service users, staff etc) and what are their requirements?
All highway users will expect the network to be maintained in a safe condition in line with the Highways Authority's legal duty.

3. How will this item affect the stakeholders identified above?
Not applicable

STEP 3 – Assessing Impact and Strengthening the Policy

What have you assessed the impact as being? If there is potential adverse or differential impact on protected groups, what are the measures you will take to mitigate against such impact. Is there any opportunity to promote equality and good relations?
We will continue to routinely inspect the highway network to ensure that it remains in a safe condition in accordance with our statutory duty. However, the Council's ability to undertake reactive repairs, for example, permanent pothole and edge of carriageway repairs will be negatively affected by these proposed budgetary cuts.

STEP 4 – Procurement and Partnerships

Is this item due to be carried out wholly or partly by contractors? Yes

If 'yes', will there be any additional requirements placed on the contractor? Have you done any work already to include equality considerations into the contract? You should set out how you will make sure that any partner you work with complies with equality legislation.

Highway contractors are required to comply with equalities legislation. Additionally, the Council formally requested evidence from all tenderers to support their Equality and Diversity Policies and Procedures as part of the prequalification requirements for the recently awarded Highways, Bridgeworks and Street Lighting Term Maintenance Contract.

STEP 5 – Making a Decision

Summarise your findings and make a clear statement of the recommendation being made as a result of the assessment. This will need to take into account whether the Council will still meet its responsibilities under the Public sector Equality Duty (Section 149 of the Equality Act), which states:-

A public authority must, in the exercise of its functions, have due regard to the need to:-

- (i) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (ii) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:-*
 - (a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
 - (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
- (iii) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

This proposed reduction in highway maintenance budget will affect everyone who uses the public highway. The council has a duty under S41 of the Highways Act 1980 to maintain highways maintainable at public expense and in meeting this duty, the council will continue to ensure that it remains in a safe condition in accordance with its set service levels. The council will continue to undertake programmed works through the

Capital Programme, attend emergencies and make safe, however, the proposed reduction in budget may prevent the council from carrying out permanent repairs to reported potholes, edge of carriageway defects and drainage systems which, in the medium to long term, may have a negative impact on the condition of the road network and the number of claims received.

STEP 6 – Monitoring, Evaluating and Reviewing

Once the change has taken place, how will you monitor the impact on the 9 protected characteristics?

The council will continue to monitor the condition of the highway network, the number of service requests through the ELM system, the number of complaints and the number of third party claims during 2017/18 to see if these budget reductions result in an increase.

STEP 7 – Action Plan

	Actions	Target Date	Responsible Person
Involvement & consultation	Publishing of revised maintenance standards	Ongoing	Melvyn May
Data collection	Monitor the number of potholes, ELMS, claims and complaints	Ongoing	Melvyn May
Assessing impact	Interrogate data	Ongoing	Melvyn May
Procurement & partnership	Ensure contractor is aware of reduced standards. Work with contractors to get more for the same or less.	Ongoing	Melvyn May
Monitoring, evaluation and reviewing	Monthly and quarterly reporting during 2017/18	Ongoing	Melvyn May

STEP 8 – Sign Off

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.

Contributors to the Assessment

Name: Melvyn May	Job Title: Highways Manager	Date: 23/12/2016
Head of Service (sign off)		
Name: Mark Edwards	Job Title: Head of Highways & Transport	Date: 23/12/2016