

## EQUALITY IMPACT ASSESSMENT

The Equality Act 2010 requires all public bodies, including local authorities, to show “due regard” to the impact their policies and procedures have on people from different groups. This includes gender, race, religion, age, disability, sexual orientation and sexual identity. We also have a responsibility to foster good community relations. Although they are not a legal requirement, conducting a basic assessment will allow you to look at the possible implications of a policy or procedure, and take any mitigating action if appropriate.

Remember:

- Equality Impact Assessments (EIAs) should be carried out on **relevant** policies and procedures. Not all policies or procedures will require them. If you are unsure if one is required, please contact the Equality and Diversity Manager on 01753 875069 for advice.
- Assess any potential impacts, positive and negative, in a proportionate way and with relevance
- Make decisions that are justified, evidenced, relevant and identify any mitigating proposals
- Prioritise expenditure in an efficient and fair way
- Have a record showing that the potential impacts have been considered and that decisions are based on evidence

It is important the EIA is carried out at the earliest opportunity to ensure that you have the time to undertake any additional work that will inform your decisions, for example community engagement.

When you have completed an EIA please send it to [Equalities@slough.gov.uk](mailto:Equalities@slough.gov.uk). If this EIA is part of a Committee Report please also send to [Joannah.Ashton@slough.gov.uk](mailto:Joannah.Ashton@slough.gov.uk) in Democratic Services.

**If you have any questions or concerns, please contact the Equality and Diversity Manager on 01753 875069.**

# Equality Impact Assessment

<b>Directorate: Regeneration, Housing and Environment</b>	
<b>Service: Parking</b>	
<b>Name of Officer/s completing assessment: Kam Hothi</b>	
<b>Date of Assessment: 2024</b>	
<b>Name of service/function or policy being assessed: Removal of vehicles from the public highway</b>	
1.	<p><b>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</b></p> <p>To adopt the powers to remove vehicles from the highway for the following circumstances:</p> <ul style="list-style-type: none"> <li>• Persistent Evader (PE) – where a vehicle has three or more recorded contraventions and the Penalty Charge Notice’s (PCNs) are not paid, represented, or appealed against within the statutory time limits; or their representations and appeals have been rejected but the penalty charge notices remain unpaid.</li> <li>• Hazard or obstruction on the highway – vehicles that constitute a nuisance and danger to the public where the Council has granted a court order for nuisance, or an Authorised Officer has cause to consider the danger presented by the vehicle is such that it should be removed without delay or giving notice or obtaining a court order</li> <li>• Maintenance work/ planned events – vehicles impeding on planned street works, annual programmed events</li> <li>• Non- Motorised Vehicles – A structure (inclusive of but not limited to trailers/caravans/ damaged vehicles), that is being unlawfully stored on the public highway. A “structure” includes any machine, pump, post or other object of such a nature as to be capable of causing obstruction, and a structure may be treated for the purposes of this section as having been erected or set up notwithstanding that it is on wheels</li> </ul>

	<p>The Council issues approximately 70,000 Parking and Bus Lane PCNs per annum. The statutory process for payment and representations is set out by legislation under the Traffic management Act 2004. However, every council is reliant on third parties to supply information on keeper/owner details. The Council relies on the Driver Vehicle Licensing Agency (DVLA) to provide this information; however, all councils are struggling to receive updated information for vehicle owners. Furthermore, with fraudulent activity the parking service are finding that more vehicles are not being registered with the DVLA resulting in drivers persistently evading, PCN fines and continuing to park in contravention across the borough.</p> <p>This new policy will enable the authority to recover outstanding debts from the vehicle owners and curb parking problems in several community areas. In addition, this will also allow various other services to use this service to remove abandoned vehicles, speed up maintenance work and deal with fraudulent disabled badges.</p>
2.	<p><b>Who implements or delivers the policy, service or function? State if this is undertaken by more than one team, service, and department including any external partners.</b></p> <p>The parking managers will be working with Procurement team on the Tender process to ensure the best deal is secured for a removal company. The Parking, Highways and Streetworks team leader will be implementing this project. Once the service is in operation the parking service will manage the vehicle removal project.</p>
3.	<p><b>Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc. Please consider all of the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</b></p> <p><b>Age:</b>  <b>Disability:</b>  <b>Gender Reassignment:</b>  <b>Marriage and Civil Partnership:</b>  <b>Pregnancy and maternity:</b>  <b>Race:</b>  <b>Religion and Belief:</b></p>

	<p><b>Sex:</b> <b>Sexual orientation:</b> <b>Other:</b></p> <p>Any driver that has 3 Penalty Charge Notices (PCNs) unpaid, unchallenged, at a certain stage of the statutory process. All equality groups could be affected by this new policy if they are a driver and are issued a PCN. However, we believe lower paid residents will be impacted by this new operational regime under the Traffic Management Act 2004 (TMA 04). As these residents may not be able to pay PCNs within the set statutory timeframes, which may increase in value and place further burden on them, especially with this new policy which allows the vehicle to be removed off the highway as they are classed as persistent evader.</p> <p>Prior to getting to this stage there is an appeals process in place, and we must consider any mitigating circumstances raised by drivers, as part of their representation, including not being able to afford payment. We may also offer drivers payment plans to pay outstanding charges.</p> <p>There is a government scheme in place called ‘Breathing Space’ which is available to anyone who with a debt problem. It gives them legal protections from creditor action for up to 60 days. The protections include pausing most enforcement action and contact from creditors and freezing most interest and charges on their debts.</p>
4.	<p><b>What are any likely positive impacts for the group/s identified in (3) above? You may wish to refer to the Equalities Duties detailed in the background information.</b></p> <p>With the improvement of enforcement restrictions in the borough this will help to instil people to cycle and walk for shorter journeys. This will have a benefit to road users that are constantly dealing with obstruction, unregistered, and nuisance parking by removing these vehicles off the road by making it safe, which will have a positive impact on all equality groups.</p> <p>This would also improve access to pedestrians and disabled persons, by reducing dangerous parking on footways, and improving disabled parking bay access.</p>

5.	<p><b>What are the likely negative impacts for the group/s identified in (3) above? If so then are any particular groups affected more than others and why?</b></p> <p>The negative impact is to those groups that are low paid, as vehicles will be removed from the highway and taken to a location whereby additional funds would have to be paid to release the vehicle.</p>
6.	<p><b>Have the impacts identified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence sources and conclusions drawn (e.g. survey results, customer complaints, monitoring data etc).</b></p> <p>The number of complaints received from residents/ businesses about persistent evader vehicles parked on restrictions that result in non-payment affects all other drivers that use the public highway, not being able to identify owners has resulted in the Authority to write off this outstanding debt. Furthermore, by keeping roads clear of hazards will reduce accidents and complaints. The new powers will potentially reduce the number of complaints received and make our network more accessible and safer to use.</p>
7.	<p><b>Have you engaged or consulted with any identified groups or individuals if necessary and what were the results, e.g. have the staff forums/unions/ community groups been involved?</b></p> <p>We will be working with our Communications team prior to implementation to make drivers aware that this Authority will be enforcing new powers under the TMA 04. Prior to the introduction of this scheme messages will be published on our website and twitter accounts updated to inform drivers of this change.</p>
8.	<p><b>Have you considered the impact the policy might have on local community relations?</b></p> <p>There is no specific impact anticipated in community relations, details of the new scheme will be publicised at the earliest opportunity.</p>

9.	<p><b>What plans do you have in place, or are developing, that will mitigate any likely identified negative impacts? For example what plans, if any, will be put in place to reduce the impact?</b></p> <p>As part of the statutory process in place for making representations and if required appealing the outcome of a PCN (to an independent adjudicator) this debt still remains outstanding, at this stage ample options have been offered for the owner of the vehicle to make contact even be offered the discounted rate, payment plans, however they have chosen not to take these opportunities and continue to contravene restrictions in place, this is the one of the last resorts as the vehicle in the majority of cases will now parked dangerously, blocking footways, on junctions etc..</p>
10.	<p><b>What plans do you have in place to monitor the impact of the proposals once they have been implemented? (The full impact of the decision may only be known after the proposals have been implemented). Please see action plan below.</b></p> <p>The impact of this proposal will be monitored through complaints the service receives, furthermore, the compliance on street will be noticeable by our enforcement teams. We will work together to ensure all partners are following due process and the goal is to get unauthorised and unregistered vehicles off the road is achieved.</p>

<b>What course of action does this EIA suggest you take? More than one of the following may apply</b>	✓
<b>Outcome 1: No major change required.</b> The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken	
<b>Outcome 2: Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? (Complete action plan).	
<b>Outcome 3: Continue the policy</b> despite potential for adverse impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact (see questions below). (Complete action plan).	✓
<b>Outcome 4: Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination. (Complete action plan).	

### Action Plan and Timetable for Implementation

At this stage a timetabled Action Plan should be developed to address any concerns/issues related to equality in the existing or proposed policy/service or function. This plan will need to be integrated into the appropriate Service/Business Plan.

Action	Target Groups	Lead Responsibility	Outcomes/Success Criteria	Monitoring & Evaluation	Target Date	Progress to Date
Submit Report to cabinet for approval to take on the removal powers, new policy and to start procurement process for removal contractor		Kam Hothi	Implement vehicle removal process, publish new policy		November 24	November 24
Procurement process to be undertaken		Procurement & Kam Hothi	Award contract	Monitor performance of supplier	January 25	April 25

<p>Ensure that a simple and comprehensive communications plan is in place, particularly prior to implementation and thereafter in the first six months after implementation. e.g. Grapevine, Website, Social Media (Facebook &amp; Twitter); inserts with any written communication</p>	<p>All external customers and staff</p>	<p>Comms and Kam Hothi</p>	<p>Reduce the level of complaints received, making community aware and involved in new regime in place</p>	<p>Monitor number of complaints, adverse social media comments received</p>	<p>Communication commences, once contract has been awarded</p>	<p>Go live April 25</p>
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**Name: Kam Hothi**

**Signed:**  **(Person completing the EIA)**

**Name:** ... **Kam Hothi** .....

**Signed:** .....  ..... **(Policy Lead if not same as above)**

**Date:** /2024



