

Equality Impact Assessment (EqIA)

APPENDIX 2

1. Who is completing the EqIA and why is it being done?

Title of service / proposal / project / strategy / procurement you are assessing	Broxbourne Air Quality Project
Names of those involved in completing the EqIA	Trevor Brennan
Head of Service or Business Manager	Rupert Thacker/Sue Jackson
Team/Department	Environment and Infrastructure (Highways Strategy - East Herts & Broxbourne group)
Lead officer contact details	<p>Trevor Brennan Strategy & Programme Manager Environment and Infrastructure Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG13 8DN t: 01992 658406 Comnet/Internal : 58406 m:07484647546 email: trevor.brennan@hertfordshire.gov.uk</p>
Focus of EqIA – what are you assessing?	<p>Following R (ClientEarth No.3) v Secretary of State for Environment, Food & Rural Affairs, Garnham J, on the 21st February 2018 judgment, the High Court required the Government to take a direct legal approach with those local authorities responsible for air quality issues relating to roads (such as the A10) where there was an exceedance of annual mean EU Limit of 40 ug/m³ (Micrograms per Cubic Meter of Air) for Nitrogen Dioxide (NO₂). The Borough of Broxbourne (BOB), was identified as part of this process, and is therefore legally required to undertake actions to address this exceedance in the shortest time possible.</p> <p>The key finding of work to date by BOB was that the ability to achieve compliance in order to meet the air quality legal limit would not be achieved before 2028, by the implementation of highway measures alone but rather it identified that the most viable solution in terms of achieving compliance in the shortest time possible, would be the implementation of a Charging Clean Air Zone (CAZ) for a section of 1.82km of the A10 from Brookfield slip Road towards Church Lane and ending at College Road. This EqIA is therefore</p>

focused on an Air Quality Project for Broxbourne, this will mean that an zone within and around the section of the A10 will be created where all commercial and domestic vehicles, other than motorbikes which are not Euro 4 Petrol and Euro 6 Diesel compliant will be charged to enter the zone.

The Charging Clean Air Zone (CAZ) will involve CAZ Signing Strategy, Automatic Number Plate Recognition (ANPR) camera, IT and 'back office' facilities.

The CAZ Signing Strategy will implement a new signing network which will notify drivers on the approach to the zone that a CAZ is in operation, providing information of the charges which are being enforced. 'Countdown' signs will be installed on all approaches to the section of the A10, providing drivers with advance warning, information informing how drivers check if their vehicles comply; the charges non-compliment vehicles will be fined.

The ANPR project will involve the installation of a network of ANPR cameras at the intersections where approach roads meet the CAZ boundary, both on the incoming and outgoing roads. This camera network will provide the tool for enforcement of the CAZ, capturing images of the number plates of every vehicle which enters and leaves.

The 'back office' will enable software to check the number plates against a list of compliant vehicles and those which have paid the charge; identifying those vehicles which are not exempt and issuing the owner with a fine.

The implementation of a CAZ will likely contribute towards improved air quality, promoting a significant behavioural shift, with many drivers opting for an alternative, more eco-friendly method of transport.

Stakeholders

A full public consultation on the proposed CAZ options will be undertaken in the final quarter of 2019.

The overall CAZ scheme impacts directly protected characteristics who will need to enter the zone in that they may be required to pay if they have a non-compliant vehicle.

However the introduction of the CAZ and the subsequent improvements to air quality will provide a betterment for the public good, including the groups with

protected characteristics.

2. List of data sources used for this EqIA (include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, EqIAs from other projects or other local authorities, etc.)

A range of useful local data on our communities can be found on [Herts Insight](#) and on the [Equalities Hub](#)

Title and brief description (of data, research or engagement – include hyperlinks if available)	Date	Gaps in data
https://www.hertfordshire.gov.uk/microsites/herts-insight/home.aspx Income Deprivation for lower super output areas with the CAZ area have been considered and mapped.	07/08/2019	

3. Analysis and assessment: review of information, impact analysis and mitigating actions

Protected characteristic group	What do you know? What do people tell you?	What does this mean – what are the potential impacts of the proposal(s)?	What can you do?
Age	Children, young people and the elderly.	<p>Are more vulnerable to air pollution, concerns over the personal security and would be more sensitive to any changes in pedestrian access.</p> <p>Children would be adversely affected by any reduction in community transport servicing school and community centres within the CAZ.</p> <p>A high proportion of elderly people have limited mobility and therefore would be adversely affected by implementation of the CAZ through the potential reduction in the availability of community transport and taxis, and also the potential increase in the costs of community transport and private vehicle travel</p>	<p>All facilities of importance within the air quality area for the CAZ would experience a decrease in NO2 concentrations to some degree.</p> <p>The proposed package of mitigation measures (exemptions, discounts, sunset periods, financial incentives to support business and enhanced infrastructure to support transition to compliant modes of transport) is intended to reduce the impacts of the CAZ on these groups.</p> <p>HCC/BOB Comms Team are currently developing a consultation and communication plan for the implementation of a CAZ. The consultation will take place for 6 weeks from the 1 Nov 2019, involving press and news releases supported by presentations and drop in opportunities for business, community and residents within Broxbourne.</p>
Disability	Blue Badge holders	Vehicles used by Blue Badge holders must meet the CAZ emission standards.	<p>Vehicles which are registered with the DVLA with a 'disabled' or 'disabled passenger vehicle' tax class, will be exempt.</p> <p>If a vehicle does not meet these conditions and wants to enter the CAZ a charge must be paid. Support will be offered to low income groups to help to adapt to the CAZ.</p>

Protected characteristic group	What do you know? What do people tell you?	What does this mean – what are the potential impacts of the proposal(s)?	What can you do?
Gender reassignment	It is not considered that the CAZ is likely to have disadvantage to this group.		
Pregnancy and maternity	There are health inequalities associated with pregnancy and air quality.	There is emerging evidence on the links between high levels of emissions and the effects on the unborn child.	The introduction of the CAZ will have positive outcomes for this group.
Race	The higher percentage of Black, Asian and Minority Ethnic (BAME) population as part of the taxi trade.	The impact on the taxi trade could have a consequential impacts on the BAME and low income communities , since a higher proportion of taxi drivers are from communities with a high proportion of non-white residents and income deprived residents	Taxis will be targeted in terms of supporting mitigation measures due to the combination of direct and indirect impacts arising from the proposed CAZ. This will involve direct financial support in terms of exemptions, discounts, sunset periods, financial incentives to support taxi's and enhanced infrastructure such as EV charging infrastructure.
Religion or belief	Registered places of worship within the CAZ.		Consideration for exemptions, discounts, sunset periods for those wanting to attend places of worship within the CAZ will be considered on a case by case basis.
Sex/Gender	It is not considered that the CAZ is likely to have disadvantage to this group.		
Sexual orientation	It is not considered that the CAZ is likely to have disadvantage to this group.		

Protected characteristic group	What do you know? What do people tell you?	What does this mean – what are the potential impacts of the proposal(s)?	What can you do?
Marriage and civil partnership	It is not considered that the CAZ is likely to have disadvantage to this group.		
Carers			
Other relevant groups Consider if there is a potential impact (positive or negative) on areas such as health and wellbeing, crime and disorder, Armed Forces community.	Income deprivation has been considered at lower super output level (LSOA) 1 relative to England and Wales, and Hertfordshire.	There are higher levels of income deprivation within the CAZ. Owners of non-compliant vehicles resident within the CAZ are potentially the worst affected financially by the proposed scheme, as due to their geographical location they would be least able to avoid entering and existing the CAZ for everyday car journeys.	All Broxbourne Residences i.e. Vehicles registered to residents within the Council area known as the Borough of Broxbourne. Residents will have to apply on line and have their applications validated. There is a possibility the qualifying criteria may need to be revised if air quality target levels are not achieved within the forecast timeline. Public Consultation needs to include a caveat that the scheme may be subject to change based on the delivery of public health objectives.
Other relevant groups	Those dependent on community transport and taxis.	Without mitigation these forms of transport could be adversely affected to the extent that their availability decreases. People vulnerable to these impacts would include the disabled, the elderly, women and children.	Proposed CAZ will exclude all community based transport, implementation of travel planning and ensuring convenient public transport is available at suitable times.

Other relevant groups	Transport dependent business.	Fleet vehicles providers, taxi and private hire companies, van companies with fleets that are owned by individual rather than registered to the company, and SME HGV operations	Proposed CAZ will exclude all those who have a Broxbourne business or residential address. This will involve direct financial support in terms of exemptions, discounts, sunset periods, financial incentives to support transport dependent business and enhanced infrastructure such as EV charging infrastructure.
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Opportunity to advance equality of opportunity and/or foster good relations

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Conclusion of your analysis and assessment

OUTCOME AND NEXT STEPS	SUMMARY
i. No equality impacts identified - No major change required to proposal	
ii. Minimal equality impacts identified - Adverse impacts have been identified, but have been objectively justified (provided you do not unlawfully discriminate) - Ensure decision makers consider the cumulative effect of how a number of decisions impact on equality - No major change required to proposal	

<p>iii. Potential equality impacts identified</p> <ul style="list-style-type: none"> - Take 'mitigating action' to change the original policy/proposal, remove barriers or better advance equality - Set out clear actions in the action plan in section 4. 	<p>The proposed package of mitigation measures (exemptions, discounts, sunset periods, financial incentives to support business and enhanced infrastructure to support transition to compliant modes of transport) is intended to reduce the impacts of the CAZ on these groups (age, disability, pregnancy and maternity, Race, religion or belief, income deprived, those accessing community and taxi based transport) that have been assessed as being impacted upon.</p>
<p>iv. Major equality impacts identified</p> <ul style="list-style-type: none"> - The adverse effects are not justified, cannot be mitigated or show unlawful discrimination - You must stop and remove the policy [you should consult with Legal Services] - Ensure decision makers understand the equality impact 	

4. Prioritised Action Plan

Impact identified and group(s) affected	Action planned Include actions relating to: • mitigation measures • getting further research • getting further data/consultation	Expected outcome	Measure of success	Lead officer and timeframe
NB: These actions must now be transferred to service or business plans and monitored/reviewed to ensure they achieve the outcomes identified.				
Age	<p>Proposed CAZ will exclude all community based transport.</p> <p>Proposed CAZ will exclude all those who have a Broxbourne business or residential address.</p>	The proposed package of mitigation measures (exemptions, discounts, sunset periods, financial incentives to support business and enhanced infrastructure to support transition to compliant modes of transport) is intended to reduce the impacts of the CAZ on these groups.		<p>Trevor Brennan</p> <p>Timeframe for CAZ development and delivery is from March 2020, with 'switch on' before the end of March 2022.</p>
Disability	<p>Vehicles which are registered with the DVLA with a 'disabled' or 'disabled passenger vehicle' tax class, will be exempt.</p> <p>Vehicles used by Blue Badge holders must meet the CAZ emission standards.</p>	Owners/passengers who use non-compliant vehicles will transition to compliant modes of transport or vehicles.	Number of compliant vehicles increases over the period of time the CAZ is in operation.	<p>Trevor Brennan</p> <p>Timeframe as above.</p>
Pregnancy and maternity	There are health inequalities associated with pregnancy and air quality.	A decrease in NO2 concentrations to some degree with the CAZ.	Reduction in Nitrogen Dioxide (NO2) levels to meet EU Limit of 40 ug/m3 (Micrograms per Cubic Meter of Air).	<p>Trevor Brennan</p> <p>Timeframe as above.</p>

Race	Taxis will be targeted in terms of supporting mitigation measures due to the combination of direct and indirect impacts arising from the proposed CAZ.		Number of compliant taxi vehicles increases over the period of time the CAZ is in operation.	Trevor Brennan Timeframe as above.
Religion or belief	Measures to support those wanting to attend places of worship should be considered to reduce the impact on these groups.		No reduction in the number of attendees to place of worship due to the CAZ.	Trevor Brennan Timeframe as above.
Income deprived	Proposed CAZ will exclude all those who have a Broxbourne business or residential address.			Trevor Brennan Timeframe as above.
Those accessing community and taxi based transport	Proposed CAZ will exclude all those who have a Broxbourne business or residential address.			Trevor Brennan Timeframe as above.

This EqIA has been signed off by:

Lead Equality Impact Assessment officer:

Date: 21 August 2019

Head of Service or Business Manager: Sue Jackson

Date: 30 August 2019

Review date:

Please now send the completed EqIA to equalities@hertfordshire.gov.uk