

DRD SECTION 75 EQUALITY OF OPPORTUNITY SCREENING ANALYSIS FORM 2005

Section 1

Introduction

This form is intended to help you to consider whether a new policy (either internal or external) or legislation will require a full equality impact assessment (EQIA). Those policies identified as having significant implications for equality of opportunity must be subject to full EQIA.

The form will provide a record of the factors taken into account if a policy is screened out, or excluded for EQIA. It will provide a basis for consultation on the outcome of the screening exercise and will be referenced in the quarterly review of progress made to the Minister and in the Annual Report to the Equality Commission. Copies of completed forms should be retained on file within business areas and reference should be made to the outcome of the screening exercise and subsequent consultation in any submission made to the Minister.

Background

The Legal Background

Under section 75 of the Northern Ireland Act 1998, the Department is required to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

The main groups within each of the nine categories, highlighted above, are identified at Appendix 1.

In addition, without prejudice to its obligations above, the Department is also required, in carrying out its functions relating to Northern Ireland, to have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion or racial group.

Advice on Completion of the Screening Form

It is important that the screening form is completed carefully and thoughtfully. Your Divisional or Agency Equality Officer and the Department's Equality Unit in room 413A will be happy to assist with all aspects of the screening process and will help with the completion of the form, if required.

Further advice on the screening process can be accessed at Section 4 of the Equality Commission's Guide to the Statutory Duties.

Policies included for EQIA

If, after screening, it is decided that a policy will require a full EQIA, a decision will be required on the priority and timing of the assessment. The screening form should be noted accordingly, signed off and copied to the Equality Unit for inclusion in the EQIA programme.

Policies excluded for EQIA

If a decision is taken to screen out the policy or where there is ambiguity about the equality implication of the proposal, the screening form should be signed off by a senior officer responsible for the policy and a copy sent to the Equality Unit to arrange for consultation. Copies of all screening out forms will be placed on the Department's consultation website.

Section 2 – Policy to be Screened

Definition of Policy

There have been some difficulties in defining what constitutes a policy in the context of Section 75. To be on the safe side it is recommended that you consider changes to or any new initiatives, proposals, schemes or programmes as policies. The policies covered in the Equality Scheme EQIA programme are a reasonable guide both to the nature of external departmental policies and the level at which they should be considered.

The revised Guidance from The Equality Commission emphasises that the Statutory duties apply to internal policies (relating to people who work for the organisation) as well as external policies (relating to those who are, or could be, served by the organisations).

It is important to remember that even if a full EQIA has been carried out in respect of an “overarching” policy or strategy, it will still be necessary for the policy maker to consider if a further EQIA needs to be carried out in respect of those policies cascading from the overarching strategy.

OFMDFM Guidance on Legislative Procedures (Primary and Subordinate) sets out clearly the stages at which equality of opportunity considerations should be taken into consideration in the development of legislation.

Overview of Policy Proposals

The aims and objectives of the policy must be clear and well defined. You must take into account any available data of evidence that will enable you to come to a decision on whether or not a policy may or may not have a differential impact on any of the S75 categories. Evidence may be qualitative and or quantitative and may include research or internal information and or experience in relation to service and customer monitoring exercises. Where appropriate, arrangements should be made to obtain any data necessary to assist screening.

2.1 Please insert below a brief description of the policy/legislation, including the title and all the main aims and objectives

Title	The Extinguishment of Right to Use Vehicles on Roads - Armagh
Aims	The Department proposes to amend a current Statutory Order (1993 No. 263) relating to streets in Armagh City Centre under powers conferred on it by Article 10 of the Planning (Northern Ireland) Order 1991. This amendment to the above statutory rule aims to reduce the number of streets on which the current order applies and re-open these roads, so allowing traffic to flow through Armagh City Centre following the implementation of an Environmental Improvement Scheme. . It proposes to retain some streets as a pedestrian zone, however provision will be included for permitting the use of these streets for the conveyance of goods to or from premises situated on or adjacent to these roads. It also permits access for emergency and maintenance vehicles. <u>Map attached</u>

It is essential that all the aims/objectives of the policy be clearly and fully defined.

2.2 On whom will the policies/legislation impact? Please specify

The legislation will impact on the drivers of vehicles and their passengers wishing to gain vehicular access to certain streets in Armagh City centre.

It will not affect those vehicles wishing to access these streets to load and unload goods, or emergency or maintenance vehicles.

2.3 Who is responsible for (a) devising and (b) delivering the policy, eg is it DRD, a Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?

Department for Regional Development Roads Service is responsible for devising and delivering the policy.

2.4 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?

The legislation is being made under the Planning (Northern Ireland) Order 1991.

2.5 What data are available to facilitate the screening of this policy/legislation?

None

2.6 Is additional data required to facilitate screening? If so, give details of how and when it will be obtained.

No additional data is required.

See Appendix 4 of the Equality Commission Practical Guidance on EQIA which provides a list of Sources of S75 data or speak to Central Statistics Research Branch, (Stephanie Harcourt ext 40878) or Equality Unit (Jackie Gregg, ext 40867, or Tim Lavery ext 40850).

Section 3 – Screening Analysis

In cases where there is no available quantitative evidence, you will need to take a pragmatic, common sense judgement as to whether the policy/legislation you are screening may have a particular/differential impact on any of the groups. Discussions with Equality Unit, Statistics Branch and organisations representing the Section 75 Groups will be important and helpful at this stage in obtaining qualitative evidence of impacts. Every effort should be made to ensure that assessments are evidence based.

The following criteria must be considered when screening.

3.1 Is there any evidence of higher or lower participation or uptake by the following Section 75 groups?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age		✓
Marital status		✓
Sexual orientation		✓
Men and Women generally		✓
Disability		✓
Dependants		✓

Please give details

None available

3.2 Is there evidence that any of the following Section 75 groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age	✓	
Marital status		✓
Sexual orientation		✓
Men and Women generally		✓
Disability	✓	
Dependants	✓	

Please give details

Older people, disabled people and people with dependants often have different needs or experiences in relation to parking policies.

Amendments to the existing scheme will have a positive impact on

these groups, as it will improve accessibility and traffic flow, and the scheme will provide 20 dedicated Blue Badge parking spaces (see pt. 3.7). Previously a permit was issued to allow Blue Badge holders access to the pedestrian zone. The majority of Blue Badge holders only required access to that area which will now be open to all traffic i.e. the main through route of Market Street and Upper English Street, and Blue Badge holders may continue to access this area and make use of dedicated parking bays.

The provision of dedicated Blue Badge parking bays will ensure a good level of access to the town centre at any time of day. Some streets will remain pedestrianised, and with the withdrawal of parking permits, will theoretically no longer be open to any parking. Surveys have shown that these streets are steep and narrow, and were not used by parking permit holders.

The creation of dedicated bays will allow better access, and pre-consultations with local disability groups have not raised any concerns.

3.3 Have consultations with the relevant representative organisations or individuals within any of the Section 75 categories, indicated that policies of this type create problems specific to them?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age		✓
Marital status		✓
Sexual orientation		✓
Men and Women generally		✓
Disability		✓
Dependants		✓

Please give details of any consultations carried out, and any problems identified.

There has been an extensive consultation exercise carried out for this scheme and Armagh City and District Council have brought the proposed amendments to the pedestrian zone to the attention of local disability groups.

Additionally there has been an extensive notification process carried out with all business and residential premises along the affected route and adjacent routes being notified by letter of this proposal. A further public meeting has been arranged for 6 November 2008 to allow all interested parties to put forward their views. Any further interested party will have an opportunity to comment when the proposals are publicly advertised as part of the statutory procedure. The notice of

intention invites objections/representations. The Order cannot be made until the statutory procedure, which includes resolving any objections received, has been completed. This document will be included in the Department's biannual consultation with Section 75 consultees.

- 3.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?**

~~Yes~~ No

Please give details

- 3.5 It may be that a policy/legislation has a differential impact on a certain Section 75 group, as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:**

N/A

- 3.6 Please consider if there is any way of adapting the policy to promote better equality of opportunity or good relations.**

Please give details

N/A

- 3.7 In relation to departmental obligations under Section 49A of the Disability Discrimination Act 1995 (DDA 1995) (as amended by the Disability Discrimination (Northern Ireland) Order 2006), please consider if there is any way of adapting the policy to show due regard to the need to promote positive attitudes towards disabled people and/or encourage participation by disabled people in public life.**

Please give details

This policy is concerned with extinguishing the right to use vehicles on roads in order to improve the amenity of the area. The needs of disabled people have been taken into consideration at the planning stage for this scheme, thus the proposed provision of twenty (20) new disabled on-street parking bays with seven (7) of those in close proximity of the proposed new pedestrian zone. The provision of adjacent limited waiting parking spaces allows Blue Badge holders

to park for unlimited periods. Additionally Blue Badge holders are permitted to park on single/double yellow lines where other road users are not. This concession is available as long as the vehicle does not cause an obstruction. Given these concessions and the fact there will be a limited number of vehicles in the pedestrian zone it should promote a more positive area for disabled people

Section 4

EQIA Recommendation

You should consider carefully in this section whether full EQIA is necessary, particularly where answers to any questions in Section 3 are affirmative.

- 4.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. Please fill in the following grid in relation to the policy/legislation.

Prioritisation Factors	Significant Impact	Moderate Impact	Low Impact
Social Need.			✓
Effect on people's daily lives.			✓
Effect on economic, social and human rights.			✓
Strategic significance			✓
Financial significance			✓

Please give details

As the proposed pedestrian zone is an amended version of an existing Order it is considered that the proposed statutory rule will have negligible impact.

- 4.2 **In view of the considerations in Section 3 and 4 do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations. If you are unsure, please consult with affected groups and revisit the screening analysis accordingly. ~~Yes/No/Unsure~~**

A full EQIA is not considered necessary for this legislation as it is only an amendment to an existing Order. As the restriction on access has been in place since 1993 it is considered that the proposals will have negligible impact.

The only group which the policy may have an impact on are persons with a disability given that permits are not to be issued any longer. However the provision of dedicated Blue Badge parking bays will ensure a good level of access to the town centre. While some streets will remain pedestrianised, and will no longer be theoretically open to

permit parking, surveys have shown that they are not easily accessible to disabled people and were not used under the previous permit scheme.

4.3 If an EQIA is considered necessary please comment on the priority and timing in light of the factors in table 4.1.

Not applicable

4.4 If an EQIA is considered necessary is any data required to carry it out/ensure effective monitoring?

Please give details

Not applicable

Section 5

Endorsement

I can confirm that the proposed policy has been screened for equality of opportunity and good relations implications and has been screened out for equality impact assessment.

Signed: Seamus McCann

Agency/Division: DRD Roads Service - Southern Division

Date: 19.05.09

Section 6

Consultation – For Completion by Equality Unit

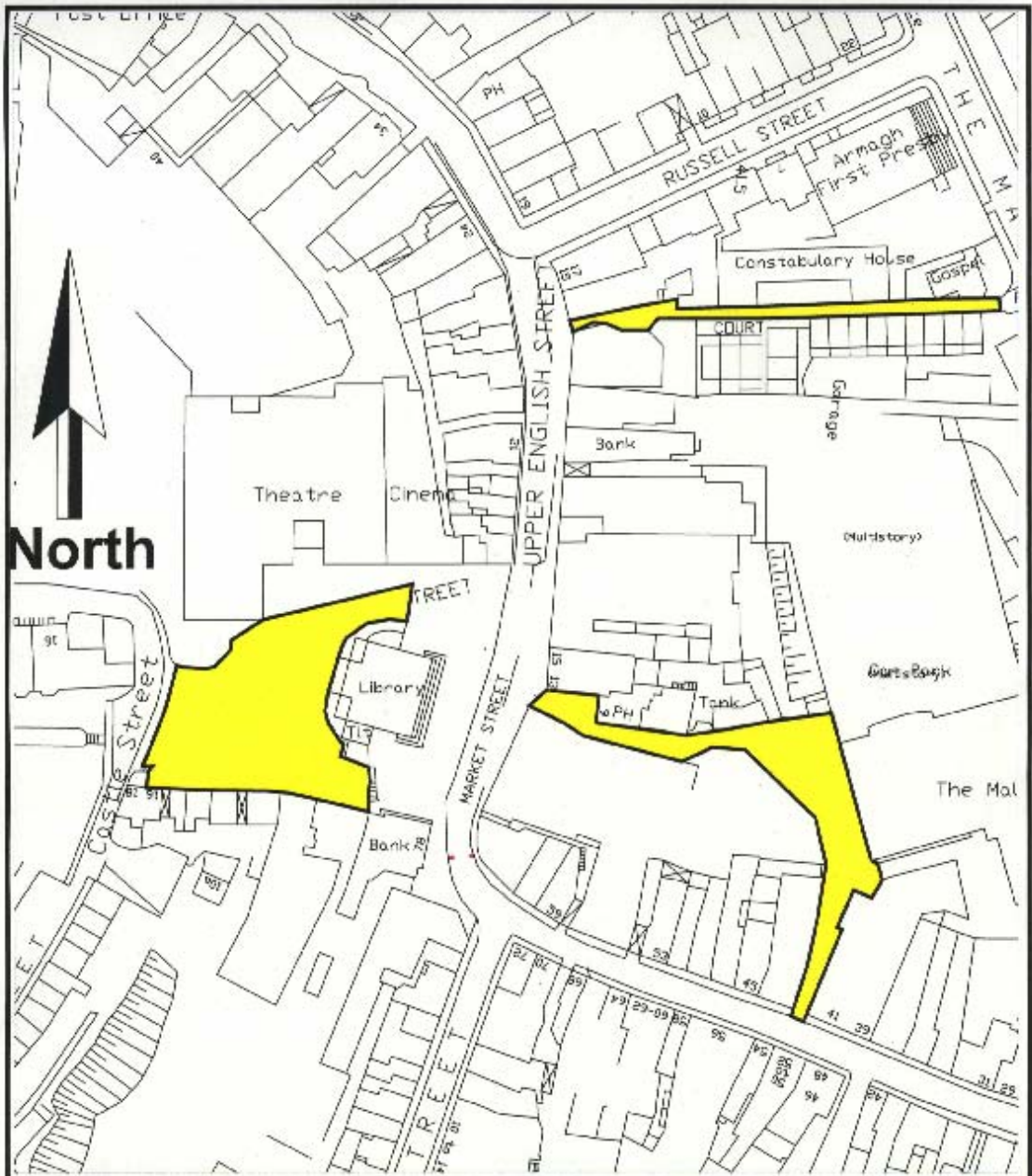
	Date
Screening result recorded:	<u>22 October 2009</u>
Placed on website:	<u>January 2010</u>
Issued for consultation:	<u>January 2010</u>
Agency/Division notified date:	_____

PLEASE FORWARD A COPY OF THE COMPLETED FORM TO:

**DRD EQUALITY UNIT
ROOM 413A
CLARENCE COURT
10-18 ADELAIDE STREET
BELFAST
BT2 8GB**

QUERIES TO: JACKIE GREGG EXT 40867 Jackie.Gregg@drdni.gov.uk
TIM LAVERTY EXT 40850 Tim.Laverty@drdni.gov.uk

Main Groups Relevant to the Section 75 Categories	
<u>Category</u>	<u>Main Groups</u>
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people with mixed ethnic group
“Men and women generally”	Men (including boys); women (including girls); transgendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18, people aged between 18-65, and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
“Persons with a disability”	Disability is defined as: A physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
“Persons with dependants”	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bi-sexuals; gays; lesbians



ROADS Service	SCALE 1:1250	
PROPOSED AMENDMENTS TO THE PEDESTRIAN ZONE ARMAGH AS PART OF THE ENVIRONMENTAL IMPROVEMENT SCHEME		Crown Copyright Reserved ©
<i>PEDESTRIAN ZONE COLOURED YELLOW</i>		

