

Overview and Scrutiny Committee 30 JANUARY 2019

Report title: Equality Streets Scrutiny Commission – Action Plan Update

Wards: All

Portfolio: Cabinet Member for Environment and Clean Air – Councillor Claire Holland

Report Authorised by: Acting Strategic Director Neighbourhoods and Growth, Sandra Roebuck

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Report summary

The Equality Streets Scrutiny Commission was established in 2015. The Commission has now completed its work and its report and associated Action Plan have been received by Cabinet. This report provides a second and final update on progress made in implementing the recommendations as set out in the associated Action Plan. Any remaining actions will be taken forward as part of related strategies / review processes as appropriate and when resources allow.

Finance summary

The updated Action Plan as detailed in Appendix 1 will be funded either through existing funding and resources or through applications for new funding.

Recommendations

1. To note the contents of the updated Action Plan (Appendix 1)

1. CONTEXT

- 1.1 The Equality Streets Scrutiny Commission was established following a series of themed discussions between councillors to identify suitable areas for scrutiny following the revision of the scrutiny function in 2014. The initial proposal was submitted by Councillor Nigel Haselden in early 2015 and was approved by the Overview and Scrutiny chair and vice chairs soon after, when resources to progress the Commission became available.
- 1.2 The aim of the Equality Streets Commission was to examine council policy and practice, particularly in relation to parking and make recommendations aimed at ensuring that the borough's future social needs and environmental priorities are appropriately and equitably provided for. This linked strongly to the former Community Plan (2013-2016) outcomes of *Cleaner Streets & Greener Neighbourhoods* and *Safer & Stronger Communities* while also chiming with several elements of Future Lambeth: Our Borough Plan (2016-2021), including the role of transport infrastructure in achieving inclusive growth and the importance of accessible, sustainable transport in creating strong and sustainable neighbourhoods.
- 1.3 The findings of the Commission were agreed by Overview and Scrutiny (28.02.17) and received together with the associated Action Plan by Cabinet (24.04.17), where the Action Plan was also approved.
- 1.4 The six month update to the Action Plan was received by Overview and Scrutiny on 7 December 2017, with the following comments for consideration:
 - that it be reiterated that the Commission's recommendations should be assimilated into the Transport Strategy, particularly with regards to improving the quality of the environment (noting the positive effect of greening on modal shift and mental health and wellbeing) and the flood risk posed by hard landscaping;
 - that officers investigate whether the Fix My Street application is (or can be) integrated into relevant Lambeth and Veolia systems in order to help target resources to known hot spots;
 - that increased parking enforcement is needed in areas not covered by CPZs; and,
 - that renewed consideration be given to the proposals around crossovers (recommendation 12).
- 1.5 The Council's Draft Transport Strategy was approved for consultation by Cabinet on 15 October 2018 with the consultation running for 8 weeks from 22 October. Officers are currently considering the feedback received, with the final strategy expected to be presented to Cabinet in April 2019.

2. PROPOSAL AND REASONS

- 2.1 The Commission looked at various aspects of parking strategy and public realm design/enforcement, and made recommendations aimed at steering policies towards increasing sustainable travel and achieving more enjoyable neighbourhoods, town centres and public spaces.
- 2.2 In response an Action Plan was developed by officers that outlines the appropriate response from the authority, within existing budgets and programmes of work, where appropriate. The following recommendations would require additional resources: 3a (More restrictions to be put on use of A-boards); 6 (borough-wide CPZ); 12 (policy should be revised to create a presumption against new crossovers); and 18 (integration of parking regimes across streets and estates).
- 2.3 The following recommendations are dependent on securing grant funding via Transport for London: 7 (Car club, cycle hangar and electric charging provision); 10 (One-way streets in the borough should be

made two-way for cyclists); 14 (sustainable travel plans for schools and businesses); and 15 (freight consolidation).

- 2.4 As this is the final update to the Action Plan a 'Status' column has been added to indicate how items have been addressed. Status categories are: *Actioned* (completed / agreed), *Pending* (awaits review / resources) and *Closed* (not completed – no further action planned). To make it clear how outstanding items will be taken forward and/or monitored the relevant strategy / document has been referred to. These are: Transport Strategy, Air Quality Action Plan, Local Plan and Public Realm Design Guide.

3. FINANCE

- 3.1 The report provides a second and final update on progress made in implementing the recommendations as set out in the Action Plan. Appendix 1 details the recommendations within the Action Plan.
- 3.2 Any remaining actions will be taken forward as part of related strategies / review processes as appropriate and when resources are identified.
- 3.3 The recommendations are divided between those which can be funded within existing resources and those that will require additional funding.
- 3.4 Before a recommendation in the action plan is approved both the funding and costs are required to be formally approved.
- 3.5 The Transport and Public Realm Strategy Manager has confirmed the recommendations and funding implications with the senior management of the affected divisions.

4. LEGAL AND DEMOCRACY

- 4.1 Section 108 of the Transport Act 2000 requires local transport authorities to develop policies for the promotion and encouragement of safe, integrated, efficient and economic transport required to meet the needs of persons living or working in the council's area, or visiting or travelling through that area, including the transportation of freight and pedestrians to, from and within their area, and carry out their functions so as to implement those policies.
- 4.2 In developing and implementing policies pursuant to this duty, the Council is required to take into account any policies announced by HM Government and have due regard to any guidance issued with regard to the mitigation of, or adaption to, climate change or otherwise with respect to the protection or improvement of the environment.
- 4.3 Section 112 of the Transport Act 2000 requires that the council in developing and implementing their policies under section have regard to the transport needs of disabled persons (within the meaning of the Equality Act 2010) and of persons who are elderly or have mobility problems.
- 4.4 Section 144 of the Greater London Authority Act 1999 requires the Council in exercising any functions to have regard to the Mayor of London's transport strategy and any written guidance given to it.

4.5 Section 149 of the Equality Act 2010 sets out the public sector equality duty replacing the previous duties in relation to race, sex and disability and extending the duty to all the protected characteristics i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment. The public sector equality duty requires public authorities to have due regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under that act
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
- c) Foster good relations between those who share a protected characteristic and those who do not share it, which involves having due regard, in particular, to the need to-
 - (i) tackle prejudice, and
 - (ii) promote understanding.

4.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to 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, including, in particular, steps to take account of disabled persons' disabilities;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

4.7 Compliance with the duties in section 149 of the Act may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.

4.8 The Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken - that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.

4.9 There were no further democratic implications arising from this report.

5. CONSULTATION AND CO-PRODUCTION

5.1 The Commission held a stakeholder summit in September 2015 to which a range of contributors were invited. Invitees were carefully chosen to ensure a good cross section of resident and business representatives, experts in the field of transport and public realm, interest groups, councillors and council officers.

- 5.2 Following the formulation of draft recommendations, the Commission also held a three week consultation with stakeholders (including those invited but unable to attend the September 2015 session) in order to seek feedback on the initial conclusions. Detailed submissions were made by 11 individuals ranging from local residents, councillors and officers to interest groups including Disability Advice Service Lambeth, Lambeth Cyclists and 20's Plenty For Us.
- 5.3 In response to the feedback received, the recommendations were revised to address the comments made. This included added consideration of non-standard cycles such as cargo bikes, tandems and Christiana bikes; the combination of certain recommendations for brevity, and occasional re-wording for clarity.
- 5.4 The recommendations were then presented to the Transport-themed OSC meeting held on 16 November 2016 alongside the Lambeth Long Term Transport Strategy (LTTTS) Baseline and Future Baseline Analysis. Both reports were discussed in tandem and the Commission's recommendations were put forward for formal consideration by officers when drafting the LTTTS. The papers from that meeting can be found at:
<http://moderngov.lambeth.gov.uk/ieListDocuments.aspx?CId=113&MId=10010&Ver=4>

6. RISK MANAGEMENT

- 6.1 Not applicable.

7. EQUALITIES IMPACT ASSESSMENT

- 7.1 An EQIA was carried out and found that the Commission's proposals would have a positive impact with respect to equalities, including ensuring more equitable treatment of all residents when it comes to policies related to transport and public realm.

https://moderngov.lambeth.gov.uk/documents/s87849/01c_ES%20Equality%20impact%20assessment%20form%20v2.pdf

8. COMMUNITY SAFETY

- 8.1 The Commission makes recommendations which pertain to civil enforcement which would have a positive effect on community safety by helping to tackle anti-social behaviour.

9. ORGANISATIONAL IMPLICATIONS

Environmental

- 9.1 The Commission's recommendations seek to encompass various environmental considerations such as increasing greening and the reduction of air pollution.

Staffing and accommodation

- 9.2 None.

Procurement

- 9.3 None.

Health

- 9.4 The Commission's work aims to have a positive impact on health outcomes by encouraging increased exercise by way of sustainable, less polluting forms of transport such as walking and cycling. The work also supports the aims of the Air Quality Action Plan

10. CONCLUSION

- 10.1 This is the second and final review of the Equality Streets Commission. All actions identified by the Commission have been considered for inclusion in council policy, guidance and work programmes as appropriate. The majority of actions are considered to have been addressed, while a small number will require further consideration as part existing review processes.

Audit trail

Consultation

Name/Position	Lambeth cluster/division or partner	Date Sent	Date Received	Comments in para:
Councillor Claire Holland	Cabinet Member for Environment and Clean Air	10.01.19	14.01.19	
Sandra Roebuck, Acting Strategic Director	Neighbourhoods and Growth	07.01.19	09.01.19	Appendix 1
Raj Mistry, Director for Environment	Neighbourhoods and Growth	07.01.19	10.01.19	Appendix 1
Neil Wightman, Director for Housing Services	Neighbourhoods and Growth	10.01.19		
Rob Bristow, Assistant Director for Planning, Transport & Development	Neighbourhoods and Growth	07.01.19		
Andrew Ramsden, Finance	Corporate Resources	10.01.19	15.01.19	Section 3
Gregory Carson, Legal Services	Corporate Resources	10.01.19	11.01.19	Section 4
Gary O'Key, Democratic Services	Corporate Resources	10.01.19	21.01.19	

Report history

Original discussion with Cabinet Member	13.12.16
Report deadline	21.01.19
Date final report sent	21.01.19
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	No
Date first appeared on forward plan	N/A
Key decision reasons	N/A
Background information	<p>Equality Streets Scrutiny Commission: Update Report & Recommendations – Overview and Scrutiny Committee 16 November 2016 https://moderngov.lambeth.gov.uk/documents/s84855/04a%20Equality%20Streets%20OSC%20Report%20Nov%202016.pdf</p> <p>Overview and Scrutiny Committee at its meeting on 28 February 2017 https://moderngov.lambeth.gov.uk/documents/s86898/06%20Equality%20Streets%20DRAFT%20OSC%20Report%20Feb%202017.pdf</p> <p>Cabinet 24 April 2017</p>

	<p>http://moderngov.lambeth.gov.uk/documents/g9758/Printed%20minutes%20Monday%2024-Apr-2017%2017.00%20Cabinet.pdf?T=1</p> <p>Overview and Scrutiny Committee at its meeting on 07 December 2017</p> <p>http://moderngov.lambeth.gov.uk/documents/s92307/05a%2020171107_Equality%20Streets%20Scrutiny%20Commission%20-%20Report.pdf</p> <p>Minutes:</p> <p>http://moderngov.lambeth.gov.uk/documents/g10150/Printed%20minutes%20Thursday%2007-Dec-2017%2019.00%20Overview%20and%20Scrutiny%20Committee.pdf?T=1</p>
Appendices	Appendix 1: Equality Streets Scrutiny Commission Action Plan – final update