

Appendix 1

Equality, Diversity, Cohesion and Integration Impact Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration. In all appropriate instances we will need to carry out an equality, diversity, cohesion and integration impact assessment.

Directorate: City Development	Service area: Highways & Transportation
Lead person: Gillian MacLeod	Contact number: 0113 37 88091
Date of the equality, diversity, cohesion and integration impact assessment: 22 October 2019	

1. Title: Section 278 highway works associated with demolition of derelict buildings, conversion of former industrial buildings to retail and office use, construction of care home, retail units, six residential units and new pay and display car park, A659 Westgate, Otley, Leeds

Is this a:

☒

Strategy /Policy

☐

Service / Function

☐

Other

If other, please specify

2. Members of the assessment team:

Name	Organisation	Role on assessment team e.g. service user, manager of service, specialist
Gillian MacLeod	LCC	Service Manager
Adrian Hodgson	LCC	Traffic Manager
John Mills	LCC	Technical Support Team Leader
Kasia Speakman	LCC	Team Leader (Programmes)

3. Summary of strategy, policy, service or function that was assessed:

Section 278 (S278) of the Highways Act 1980 makes provision for the Highway Authority to enter into an agreement to execute works with any other person (either an individual / organisation / developer) to make modifications, improvements and changes to the highway and for those works to be funded by that person / developer or organisation.

A S278 agreement is entered into between developers and the Council and ensures that any impact on the highway, or improvements required to the highway, as a result of developments undertaken are agreed, and paid for prior to the works commencing.

S278 agreements can be entered into with an individual, but generally they are made between Developers and the Council.

There are three types of S278 agreements:

Mini Section 278 Agreements

A Mini Section 278 Agreement is a formal arrangement to enable developers to carry out extremely minor highway works. This type of agreement covers minor footway crossing works, amendments to paving to provide level access, removal and reinstatement of planters, etc where the Developer designs and constructs the works, but provides a bond as surety. Leeds City Council obtains staff fees for checking the design and supervision of the works and fixed legal costs. This type of agreement is very minor in nature and does not include for commuted sums (payments for maintenance).

Minor Section 278 Agreements

A Minor Section 278 Agreement is a formal arrangement for developers to carry out minor highway works themselves. It follows the same format as a mini S278 agreement but is used for schemes which are slightly more involved than a footway crossing, but not so involved that there is any major requirement for traffic management on a busy road, or likely involvement with statutory undertakers, and the design is not complex in any way. This type of agreement is most often used where the development and highway works are adjacent or make use of the same site, making it very difficult for a separate contractor to be working in the same area, eg re-paving footways, provision of lay-by within a site contractor's working zone. A Minor S278 still requires the provision of a bond but does also allow for the acquisition of commuted sums for maintenance.

Standard Section 278 Agreements

A Standard Section 278 Agreement is used for all other highway works. The works are designed and supervised by Leeds City Council on behalf of the Developer. This type of agreement is used for most significant off-site highway works associated with planning applications. Standard S278 agreements do not require the provision of a bond as all monies are paid upfront.

This Equality, Diversity, Cohesion and Integration (EDCI) Impact Assessment considers the process of determining the requirements of such developments and how this process gives due regard to the equality characteristics. Specific EDCI considerations of the schemes are considered at planning application stage when the principal of the development and associated infrastructure works are approved. A summary of these considerations is included in section 5.

4. Scope of the equality, diversity, cohesion and integration impact assessment (complete - 4a. if you are assessing a strategy, policy or plan and 4b. if you are assessing a service, function or event)

4a. Strategy, policy or plan

The vision and themes, objectives or outcomes



The vision and themes, objectives or outcomes and the supporting guidance	<input type="checkbox"/>
A specific section within the strategy, policy or plan	<input type="checkbox"/>
Please provide detail: The screening relates to the Chief Highways & Transportation Officer recommendations to agree to the proposed permanent access arrangements to serve a care home, retail/commercial units and the wider approved Ashfield Works development in Otley.	

4b. Service, function, event	
The whole service (including service provision and employment)	<input type="checkbox"/>
A specific part of the service (including service provision or employment or a specific section of the service)	<input type="checkbox"/>
Procuring of a service (by contract or grant)	<input type="checkbox"/>
Please provide detail:	

5. Fact finding – what do we already know <u>Process Review</u> When considering the requirements of a planning application that will require a S278 agreement to deliver highway works once consent is granted, a pro-forma is completed which considers the following: <ul style="list-style-type: none"> • Development type and location • Accessibility – using guidelines laid down in the Leeds Core Strategy, Manual for Streets and LCC Street Design Guide (which has been the subject of an EIA) consideration is given to; walkers, cyclists, public transport users, vulnerable road users and impact on services nearby, for example - schools • Vehicular access – safety of this relating to width, radii, visibility splays, crossing opportunities • Internal layout / servicing / bins – shared surface issues. Ability to move around safely.
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- Parking – safety issues, availability of disabled spaces in line with the Core Strategy and Parking SPD.
- Travel Plan – Availability and accessibility of public transport.
- Off site highways works – impacts of the development on the surrounding area e.g. – increased traffic flows, do we need a new set of traffic lights.
- Road safety – current statistics and impact on these.
- Planning conditions

These items are considered in terms of the protected characteristics.

The highways works put forward have taken into account the needs of each of the equality characteristics and will aim to meet Section 278 (4) criteria, which states that “*A highway authority shall not enter into an agreement under this section unless they are satisfied that it will be of benefit to the public*”.

The highway works will benefit the public to meet the requirements of Section 278 (4).

Site Specific Considerations

The proposed highway works comprise:

1. Formation of a new signalised junction, pedestrian crossings and kerb line realignment;
2. Installation of MOVA at the new site access junction, Beech Hill / Kirkgate and Boroughgate / Crossgate junctions.
3. Installation of CCTV at the new site access junction, Beech Hill / Kirkgate and Boroughgate / Crossgate junctions.
4. Reinstatement of any redundant vehicle crossings in proximity of the site to footway with full height kerb;
5. Widen the car park entrance on southern side of the A659 Westgate, opposite property 31 Westgate;
6. Changes to the existing Traffic Regulation Order (TRO) on the A659 Westgate and provision of a new TRO to 'No Waiting at Any Time';
7. Restore full kerb and provide bollard at the arch between 30 and 28 Westgate to prevent vehicular access; and
8. Associated road markings, street lighting, TROs and signage in accordance with TSRGD and the Traffic Signs Manual. The TRO will be implemented following authorisation of the City Solicitor to advertise a Draft TRO; and if no valid objections are received, to make, seal and implement the TROs as advertised.

The site is within an established residential area, with local amenities and public transport facilities located within walking distance, meeting the accessibility requirements set out in the Core Strategy. Therefore, the proposals will contribute to improved accessibility to the site for pedestrians, cyclists and the needs of all users. Such improvements include, provision of pedestrian crossings and improved vehicular access.

<p>Are there any gaps in equality and diversity information?</p> <p>No, however to reinforce the need to consider equality impacts, an additional equality item will be added to the pro-forma. – completed 2012.</p> <p>Review operation of equality heading on proforma. – May 2017</p>
<p>Action required:</p> <p>Amendments to be made to the pro-forma – completed 2012.</p> <p>Update team in Technical Team Meeting to ensure importance of correctly filling in proforma – May 2017</p> <p>Procedure reviewed October 2019 – site specific considerations added</p>

<p>6. Wider involvement and consultation undertaken with those who are most likely to be affected or interested?</p>
<p> <input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No </p> <p>The works subject to the S278 agreement have been consulted on through the Planning process which includes statutory processes for consultation. The guidelines issued by the Department for Transport and other agencies which we follow have been equality impact assessed, and this involved some element of consultation. We follow these guidelines and as such, wider consultation is not required or relevant however, each S278 proposal is sent to the relevant Ward Member for their input on behalf of residents.</p>
<p>Action required:</p> <p>None</p>

<p>7. Who may be affected by this activity?</p>												
<p>Equality characteristics</p> <table> <tr> <td><input checked="checked" type="checkbox"/> Age</td> <td><input checked="checked" type="checkbox"/> Carers</td> <td><input checked="checked" type="checkbox"/> Disability</td> </tr> <tr> <td><input checked="checked" type="checkbox"/> Gender reassignment</td> <td><input checked="checked" type="checkbox"/> Race</td> <td><input checked="checked" type="checkbox"/> Religion or Belief</td> </tr> <tr> <td><input checked="checked" type="checkbox"/> Sex (male or female)</td> <td><input checked="checked" type="checkbox"/> Sexual orientation</td> <td></td> </tr> <tr> <td><input checked="checked" type="checkbox"/> Other (please specify)</td> <td></td> <td></td> </tr> </table> <p>(Other can include – marriage and civil partnership, pregnancy and maternity, and those areas that impact on or relate to equality: tackling poverty and improving health and well-being).</p>	<input checked="checked" type="checkbox"/> Age	<input checked="checked" type="checkbox"/> Carers	<input checked="checked" type="checkbox"/> Disability	<input checked="checked" type="checkbox"/> Gender reassignment	<input checked="checked" type="checkbox"/> Race	<input checked="checked" type="checkbox"/> Religion or Belief	<input checked="checked" type="checkbox"/> Sex (male or female)	<input checked="checked" type="checkbox"/> Sexual orientation		<input checked="checked" type="checkbox"/> Other (please specify)		
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<input checked="checked" type="checkbox"/> Other (please specify)												
<p>Stakeholders</p>												

<input checked="" type="checkbox"/> Services users	<input checked="" type="checkbox"/> Employees	<input type="checkbox"/> Trade Unions
<input type="checkbox"/> Partners	<input checked="" type="checkbox"/> Members	<input type="checkbox"/> Suppliers
<input type="checkbox"/> Other (please specify)		

Potential barriers.

<input checked="" type="checkbox"/> Built environment	<input checked="" type="checkbox"/> Location of premises & services
<input type="checkbox"/> Information and communication	<input type="checkbox"/> Customer care
<input checked="" type="checkbox"/> Timing	<input type="checkbox"/> Stereotypes and assumptions
<input checked="" type="checkbox"/> Cost	<input type="checkbox"/> Consultation and involvement
<input type="checkbox"/> Financial exclusion	<input type="checkbox"/> Employment and training
<input type="checkbox"/> specific barriers to the strategy, policy, services or function	

The location of a site may affect the type of improvements allowed.

In the current economic climate, the cost of certain improvements will effect what changes are agreed.

8. Positive and negative impact

8a. Positive impact:

The highways works put forward have taken into account the needs of each of the equality characteristics and will aim to meet Section 278 (4) criteria, which states that “A highway authority shall not enter into an agreement under this section unless they are satisfied that it will be of benefit to the public”.

Action required:

None.

8b. Negative impact:

None. All designs will be of benefit to the public to meet the requirements of S278 (4).

Action required: None.

9. Will this activity promote strong and positive relationships between the groups/communities identified?
<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No
Improving and providing inclusive, accessible and safe design at the development site will increase use by the public.
Action required: None.

10. Does this activity bring groups/communities into increased contact with each other? (e.g. in schools, neighbourhood, workplace)
<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No
Improving and providing inclusive, accessible and safe design at the development site will increase use by the public.
Action required: None.

11. Could this activity be perceived as benefiting one group at the expense of another?
<input type="checkbox"/> Yes <input checked="checked" type="checkbox"/> No
Please provide detail:
Action required: None.

12. Equality, diversity, cohesion and integration action plan

Action	Timescale	Measure	Lead person
Add 'Additional Equality Considerations to the S278 pro-forma.	December 2012	N/A	Gillian MacLeod
EIA reviewed and updated by Highways Development Services reps.	May 2017	Update team at technical team meeting May 2017	Gillian MacLeod
EDCI IA reviewed and amended. Specific site considerations that were considered at planning application stage has been added to section 5.	October 2019	Update TDS team and ensure site specific considerations are included in S278 HB Reports going forward.	Gillian MacLeod

13. Governance, ownership and approval

Name	Job Title	Date
Gillian MacLeod	Transport Development Services Manager	October 2019
Date impact assessment completed		22/10/2019

14. Monitoring progress for equality, diversity, cohesion and integration actions

- ☒ As part of Service Planning performance monitoring
- ☐ As part of Project monitoring
- ☐ Update report will be agreed and provided to the appropriate board
- ☐ Other (please specify)

15. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality impact assessment should be attached as an appendix to the decision-making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality impact assessments that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached assessment was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: 24 April 2013 Reviewed and re-sent May 2017, November 2019