

Appendix C

Section 4

# Equality Analysis Toolkit

**Pennine Reach Public Transport  
Improvement Scheme**

**For Decision Making Items**

November 2011  
[www.lancashire.gov.uk](http://www.lancashire.gov.uk)

## **What is the Purpose of the Equality Decision-Making Analysis?**

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed ) or EHRC guidance - [EHRC - New public sector equality duty guidance](#)

Document 2 "Equality Analysis and the Equality Duty: Guidance for Public Authorities" may also be used for reference as necessary.

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

[AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk)

Specific advice on completing the Equality Analysis is available from your Directorate contact in the Equality and Cohesion Team or from Jeanette Binns

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

## Name/Nature of the Decision

Pennine Reach Public Transport Improvement Scheme

## What in summary is the proposal being considered?

The introduction of the Pennine Reach scheme which will aim to improve public transport in the Hyndburn area by providing a new bus station in Accrington and improving bus provision and infrastructure throughout Hyndburn. In addition to this a Statutory Quality Bus Partnership will be established to ensure high standards on services operating on the route.

It should be highlighted that as part of the Best and Final Bid for the Pennine Reach scheme which was submitted to the DfT in September 2011, an appendix entitled “Pennine Reach: Role in Supporting Transformation and Regeneration” was also submitted. This document highlights the role Pennine Reach will play in enabling regeneration and ensuring local populations can access it can be found via the following web link: <http://www.blackburn.gov.uk/Pages/Pennine-Reach.aspx>

Pennine Reach will:

- Enable better access to employment opportunities
- Release land and help to create new development sites and premises
- Promote easier travel so that people can work in neighbouring areas of Pennine Lancashire, travel more efficiently and at an affordable cost.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The scheme will affect travel along the Pennine Reach route and those

using public transport in the area. The scheme will also have an impact on those living and working within the area.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

The Pennine Reach Scheme will introduce a new bus station in Accrington. This modern bus station will replace the current substandard facility that serves the town. The existing facility currently offers poor pedestrian facilities, fails to meet The Equality Act (2010) guidelines and is located some 400m from Accrington Railway Station. The existing site has no potential for an increase in capacity and would be incapable of accommodating the operational requirements of the 'Pennine Reach' Rapid Bus Transport Scheme.

Whilst the new station will be located slightly further away from the

main shopping market, officers are currently investigating locations for bus stops to be located on Abbey Street to mitigate any effects of changing the location of the bus station. This should help those individuals who are near to Abbey Street and do not wish to, or are unable, to travel to the new bus station facility.

The station will provide a safe, well lit environment that will provide advantages for many groups. People including those who are older or have disabilities will have a safer area to wait for buses as the station will be more secure compared to the existing facility, as well as having a staff presence throughout the day. The station will also provide seating areas which will benefit older people, pregnant women and those with disabilities. The station will also feature technology such as REACT that will benefit those with disabilities, particularly those with sight loss, and improve their navigation around the station. The system will send an SMS Text Message to a member of staff at the facility when activated to inform the member of staff that there is an individual who may need assistance. The station will also be manned during operational hours ensuring there is somebody available to provide assistance to any individual who requires it.

The station will also incorporate a Changing Places facility which will be of particular benefit to people with learning disabilities, severe physical disabilities or complex needs who require assistance from carers, family or friends to use a toilet facility. The availability of such a facility will help those affected take longer journeys or have longer visits to Accrington.

In addition to the new bus station, the scheme will improve journey times and the frequency of buses using the Pennine Reach Route. This will improve access to public transport for all groups using public transport. This will particularly benefit younger, older and disabled people who would possibly rely on public transport as their main form of transportation.

As part of the Statutory Quality Bus Partnership that is hoped to be introduced as part of the Pennine Reach Scheme, there is a requirement on the frequency of buses provided. The table below shows the current proposal, which is yet to be confirmed and is subject

to change. This will help to provide more regular services and also provides services later into the evening benefitting those relying on public transport.

	Mondays to Saturdays (Not Bank Holidays)		Sundays until 22:00
	07:30 – 18:00	Before 07:00 and 18:00 – 23:00	
Services Per Hour	6	2	2

Furthermore bus stops and shelters around the Pennine Reach Route are being upgraded. This should help improve accessibility to bus services along the route by providing modern shelters complete with raised kerb boarding points to allow better access onto buses for older people, pregnant women, those with pushchairs and prams and those with disabilities.

The shelters will be well lit which will positively impact on all passengers trying to read information signs and timetables. Additionally well-lit shelters will be a deterrent to anti-social behaviour and vandalism in the shelter. This will help alleviate the concerns of any passengers who may be apprehensive of vandalism and anti-social behaviour either due to a physical frailty or have been a victim of such activity in the past. Well lit shelters can also act as a deterrent against hate crime incidents. Hate crime is an act which could negatively impact all 9 protected characteristic groups and therefore well-lit shelters can provide a beneficial effect for these groups and improve the safety of waiting at such a shelter.

As part of the scheme a maintenance contract for the bus shelters has been agreed which will ensure that all bus shelters are properly maintained and cleaned to guarantee the ongoing standard of shelters is kept at a high level. This will again help to reduce anti-social behaviour and vandalism and will help to extend the benefits of the shelters into the future.

As part of the scheme a Statutory Quality Bus Partnership (SQBP) will be drawn up to set standards for the operation of services using the route. This will require all services to adhere to equality legislation, drivers to be trained in customer care and provide assistance to those who need it when boarding and alighting services as well as requiring services to provide, and use, facilities such as wheelchair ramps and low floor buses. Drivers will be required to be trained to Level 2 NVQ in Customer Care and are trained in disability awareness. The SQBP will also ensure the provision on evening services without the provision of a subsidy from the County Council. This means services will be available to passengers later in the evening which will improve accessibility for all those wishing to use public transport.

Consultations have taken place regarding all aspects of the scheme, details of which are outlined in question 2 which follows. The project team have also consulted on the use of the REACT system with the Equality & Cohesion Team within the County Council who in turn consulted with local groups and individuals. In addition, the Equality & Cohesion Team have also been consulted on other aspects of the scheme including the Changing Places facility that will be included within the Bus Station. The project team will consider any feedback or requests received through these consultations and determine if any action can be taken as a result.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

See Question 1

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

n/a





## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Within the 'Pennine Reach BAFB – September 2011, Social and distributional impacts report' various socio-demographic statistics were identified to draw up a profile of the Hyndburn and Blackburn with Darwen areas compared to averages for the North West as a whole. Some of these figures are shown in the table below;

<b>Factor</b>	<b>North West</b>	<b>Hyndburn</b>	<b>Blackburn with</b>
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			<b>Darwen</b>
Proportion of population aged under 16 <sup>[1]</sup>	20.69%	22.85%	25.23%
Proportion of population aged 16-25 <sup>[2]</sup>	12.01%	11.34%	12.84%
Proportion of population of 70 years of age or older <sup>[3]</sup>	11.45%	11.06%	9.51%
Proportion of population with a disability <sup>[4]</sup>	4.54%	5.07%	5.48%
Proportion of population of black and minority ethnic origin <sup>[5]</sup>	5.57%	8.29%	22.08%

[1] – 2001 census data

[2] – 2001 census data

[3] – 2001 census data

[4] – Incapacity claimants & severe disablement allowance claimants 2010

[5] – 2001 census data

In addition to this, IPSOS MORI undertook a research study in July 2008 to determine support for the Pennine Reach proposal at that time. This study concluded in a report entitled Pennine Reach Rapid Bus Proposals, A Survey of Public Attitudes. This report produced some demographic information about those living within 'the corridor' area of the study and those living in the wider area.

It should also be highlighted that analysis of the 2011 Census data undertaken by the Council's Corporate Research and Intelligence Team shows that Hyndburn was ranked 38<sup>th</sup> of all England and Wales Local Authorities for persons with a long term health problem or disability which limits activities a lot. The presentation showing this analysis can be found using the following link and choosing the '2011 Census Lancashire Analysis' on the right hand side of the webpage (<http://www3.lancashire.gov.uk/corporate/web/?siteid=6120&pageid=39869>).

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

As stated above a study was undertaken by IPSOS MORI prior to the scheme commencing. This study involved interviewing 1,500 people in the area and was undertaken in 2008.

Various forms of consultation have taken place throughout the entire project including a major public consultation on the proposals in 2008. The results of this consultation showed a majority of support from those individuals who responded. Other elements of the consultation included:

- Councillor briefings
- Exhibitions in local community facilities (both manned and unmanned) where local people were able to view the proposals in detail
- Leaflets were delivered to over 60,000 residents and businesses across Hyndburn and Blackburn with Darwen showing the scheme plans for each section of the route
- Regular press releases and newspaper articles
- A dedicated webpage for Pennine Reach
- A telephone enquiry line

- An independent telephone survey carried out by IPSOS Mori.

Full details of the consultation and results were presented at the Lancashire Local Hyndburn on 6 October 2008.

County Council officers have reviewed all the suggestions and comments received during the consultation, and where possible, have amended and refined the project in an attempt to resolve local issues and to mitigate concerns.

Further consultations will take place during the scheme as part of the monitoring and evaluation of Pennine Reach.

Consultations around the REACT system and other facilities within the bus station are currently ongoing with the Equality and Cohesion Team who are subsequently consulting with various groups and individuals who will be affected by the Pennine Reach scheme. Consultations also took place with the physical disability and learning disability partnership boards and related contacts as part of the consultation on the County Council's broader project to provide Changing Places facilities within Lancashire, including the new Accrington Bus Station.

Once this initial Equality Analysis Assessment has been approved, officers will use this to support further consultation. Consultation with bus operators, equality strand groups, passengers and other groups as necessary will be undertaken and any issues raised can be looked at and appropriate action taken.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off

altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The entire Pennine Reach scheme had 4 main aims, these being;

- Reduce congestion on the road network,
- Reduce bus journey times and improve the reliability of bus services,
- Improve public transport provision to key strategic employment sites,
- Support the regeneration of Pennine Lancashire's towns.

Principally those living and working within the 'Pennine Reach Access

Corridor' will benefit from the project however it is expected that the benefits will also extend to those within the wider Hyndburn and Blackburn with Darwen Area. Given the nature of the project as a transport scheme it is also expected that anyone travelling along or through the Pennine Reach route will benefit thus extending the benefits beyond those within Hyndburn and Blackburn with Darwen.

In the Pennine Reach area of Hyndburn and Blackburn with Darwen there are high levels of deprivation (low average incomes, high levels of benefit claimants and high unemployment), a young population and low levels of car ownership according to the 'Pennine Reach BAFB – September 2011, Social and distributional impacts report'. The expected benefits that would be brought by the Pennine Reach scheme would present a significant benefit to those groups who fall within these characteristics. The project would provide affordable, accessible and reliable public transport to allow access to employment sites, town centres and other key amenities such as health centres, hospitals, rail networks and educational facilities to improve the standard of life within both districts.

In addition to this, given the higher proportion of those with a disability within the two district compared to the North West as a whole all services operating on the Pennine Reach will have to be fully compliant to the Equality Act (2010). Services will be required to provide a low floor bus and be Disabled Persons Transport Advisory Committee (DPTAC) compliant. These will all be agreed through a Statutory Quality Partnership Scheme with all service providers using the Pennine Reach route.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national

proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

None that are known as this is expected to be a broadly positive development. However, concerns have been raised by some retailers within Accrington that the relocation of the bus station could result in loss of trade. It is, however, anticipated that the entire scheme will improve accessibility for passengers to Accrington Town Centre and it is therefore not expected to have any negative impact.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Continuing with the Original Proposal. The expected benefits from the scheme outweigh any potential negative impacts that may occur. Added to this, the continued monitoring and evaluation as well as the Statutory Quality Bus Partnership (SQBP) it is anticipated that any negative impacts that could arise could be identified and resolved if possible. The SQBP will allow changes to be made to the conditions and terms set out in the SQBP agreement which should help to resolve any potential issues which arise. The continued monitoring and evaluation of the scheme will also allow for any changes to be made if required.

12 months after implementation, another consultation with all



stakeholders will be undertaken in order to identify any improvements which either could be made or are needed.

## **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The Pennine Reach scheme will offer the option to pay for transport through the use of prepaid Smart Cards. This however may not be an option that some individuals wish to take up and prefer to pay in cash when boarding a service. This option will therefore still be available to those customers who do not wish to take up the Smart Card option due to issues such as age or disability.

Whilst the new Accrington bus station will have electronic information points and electronic signs, the station will also have a manned presence throughout operational hours who can provide assistance to those who request it. In addition there will also be paper based timetables for those who prefer to use these rather than electronic information screens.

The bus station is being relocated from the existing substandard facility on Peel Street to the new location on the site of the former Crawshaw Street Car Park. As a result of the relocation officers are currently identifying potential locations for a stop on Abbey Street which is near to Peel Street. This stop can potentially be used by local services which may allow passenger to board buses here rather than the bus station. This may help those individuals with mobility issues who are shopping around the Peel Street area and may find it easier to use Abbey Street than board at the bus station.

The provision of Visual and Audio announcements on services using the Pennine Reach route is currently being investigated by the project team. It is felt that this would be of considerable benefit to all passengers, especially those with disabilities but would come at a large financial cost. At this stage, it is felt that not all operators on the route will be in a position to incorporate this kind of technology into their services due to the high cost of implementation. It is therefore questionable as to whether it is a requirement that can be included within the Statutory Quality Bus Partnership. However, officers will continue to investigate if it would be possible to incorporate such technology within Pennine Reach. If Audio and Visual Announcements cannot be implemented as part of the scheme, the requirement for drivers to be trained in disability awareness and customer care should help mitigate this by ensuring drivers on services cater to the needs of every individual on their service

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The Pennine Reach scheme has been a long term ambition and is expected to bring positive impacts to the area. As stated previously any negative impacts will be identified during ongoing monitoring and evaluation of the scheme and can be resolved once identified if required.

## **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal is to proceed with Pennine Reach and the introduction of the Statutory Quality Bus Partnership.

## **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

A monitoring and evaluation plan was produced in 2013 which will be used to manage the delivery of the project and ensure the benefits of the scheme are achieved in full. This was produced in accordance with the Department for Transport's guidance 'Monitoring and Evaluation Framework for Local Authority Major Schemes' (September 2012). The project will be monitored both during implementation and post implementation. This will measure any achieved outcomes, both expected or unexpected and positive or negative to determine the impact the project has had.

The Statutory Quality Partnership Scheme will be monitored with regular meetings to monitor the operation of the scheme. The basis of future monitoring requirements will be based on the Pennine Reach Monitoring and Evaluation Plan. The scheme document can be revised from time to time if deemed appropriate.

The scheme has a dedicated webpage on the Lancashire County Council website and a dedicated email address that can be used by stakeholders to provide feedback. Regular consultation will be undertaken, particularly under the monitoring and evaluation of the scheme, which will allow for feedback and any issues to be identified.

Equality Analysis Prepared By: Greg Bonner

Position/Role: Technical Support Officer

Equality Analysis Endorsed by Line Manager and/or Chief Officer:

Decision Signed Off By:

Cabinet Member/Chief Officer or SMT Member:

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team.

Directorate contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)

Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager

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Contact for Environment Directorate, Lancashire County Commercial Group and BTLs

Saulo Cwerner – Equality & Cohesion Manager

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Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager

[Pam.smith@lancashire.gov.uk](mailto:Pam.smith@lancashire.gov.uk)

Contact for Office of the Chief Executive and the County Treasurer's  
Directorate

Thank you