

**Equality impact assessment form**

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| Directorate | Communities and Place |
| Service area | Engineering – Street Lighting |
| Proposal | Budget EIA 2023/2024 Reduce street lighting levels on major Traffic Routes- **Draft pending consultation outcome** |
| Reason for proposal | Contribute to corporate financial savings as set out in the MTFP 2023/24 to 2025/26 |
| Sign off (Director/Head of Service) |  |
| Date of assessment | 12th January 2023 |

**Please read the support notes to help you in Appendix 1 before completing your assessment**

**The form**

You need to attach the completed form to any report to help councillors and colleagues make their decisions by taking equality implications into account.

**The assessment team or name of individual completing this form**

**Team leader’s name and job title** – Michala Medcalf, Street Lighting Manager

Other team members if appropriate

| **Name** | **Job title** | **Organisation** | **Area of expertise** |
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| Lincoln Smithers | Head of Service | Derby City Council | Head of Service to the Engineering Team |
| Members of the EIA Panel of Employee Network members and Access Hub | Various and community | Derby City Council and community | Equality and Diversity |

**Step 1- setting the scene**

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side- tracked.

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| 1. What are the main aims, objectives and purpose of the decision you want to make? | Derby City Council are proposing a balanced budget for the next financial year in the face of a ‘perfect storm’ of rising costs and inflation.  To meet our financial legal requirements, we have produced a MTFP (Medium Term Financial Plan) 2023/24 and 2025/26 which outlines financial saving commitment in each service area.  A Highway Authority (the Council) has a power (ability), not a duty (obligation), under the Highways Act 1980 (Section 97 Lighting of Highways) to provide and maintain road lighting. Once provided, it must be appropriately maintained. Where street lighting is provided, its purpose is to only illuminate the public highway.  Derby City Council propose reducing the street lighting levels across assets located on Traffic Routes, throughout the city, through the use of CMS (Central Management System) technology. It is proposed that the reduction in lighting levels is to meet a reduction in energy use to meet the financial savings required.  Traffic Routes are comprised of ‘A,B and C’ class roads which, generally are amongst the widest, busiest, and most direct roads in an area, and will be of greatest significance to commuter and transport traffic through the city, and for the use of public transport.  6,022 street lights located across all 17 council wards have been identified within the scope of the proposed savings.  The reduction in lighting is set out below and compared with current arrangements.  Current arrangements  100% light output from switch on (dusk) until 20:00 hr’s  70% light output from 20:00 hr’s through to 23:00 hr’s  50% light output from 23:00 hr’s to 06:00 hr’s  70% light output from 06:00 hr’s to switch off (dawn)  Proposed arrangement  50% light output from switch on (dusk) to switch off (dawn).  This will mean a departure from the required British Standards for street lighting, BS5489-1:2020 Design of road lighting Part 1: Lighting of roads and public amenity areas – Code of Practice and, PD CEN/TR 13201-1:2014 Road Lighting Part 1: Guidance on selection of lighting classes. This will require a Cabinet Report to update the Street Lighting policy and illumination levels. |
| 1. Why do you need to make this decision? | Overall, the council are facing an extremely challenging financial position, with significant pressure, in both the immediate and future financial years to meet the budget gaps and to legally produce a balanced budget proposal. As a result, all service areas have had to review what and how they do things, including level of service. Undoubtedly, as a direct result, the Council will need to consider some difficult decisions that have a direct impact on service users.  Added to these challenges, is that in recent months, the unit price for electricity has more than doubled, and is set to continue this unsustainable price volatility.  Street lighting accounts for almost 50% of the Councils electrical energy usage and our energy budget for last financial year was £1.2 million and, is set to double by next financial year.  On the 21st December 2022, Council Cabinet met to agree the **Medium Term Financial Plan 2023/24 to 2025/26 – Update and proposed Consultation**. A saving commitment of £60,000, in financial year 2023/24, for the **“Introduction of energy efficient initiatives to reduce energy costs”.** This will be delivered by a reduction in street lighting levels across Traffic Routes in Derby. This is subject to public consultation and member approval. |
| 1. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements? | Derby City Council and our PFI Service Provider/AMCo - Balfour Beatty |
| 1. Who are the main customers, users, partners, colleagues or groups affected by this decision? | * All residents, businesses, and visitors to Derby * Students at Derby University and other educational facilities * Public Transport Operators and Users * Home and Away Supporters of Football and other sporting events * Night-time economy including retail, hospitality, concerts, and events * Police and CCTV surveillance * People with Protected Characteristics |

**Step 2 – collecting information and assessing impact**

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| 1. Who have you consulted and engaged with so far about this change, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents. | * Derby City Council PFI Service Provider – Connect Roads and Balfour Beatty * Service/Strategic Directors * Cabinet Members * Ann Webster – Derby City Council Lead on Equality and Diversity * Lindsey Maidstone Derby City Council Domestic Abuse and Sexual Violence Officer * Dermot Bishop – Derby City Council Rehabilitation Officer with Visually Impaired People * Sue Drummond – Derby City Council Team Manager, Deaf Services and Visually Impaired Services * Emma McGovern – Derbyshire Police |

| **People with protected characteristics** | **What do you already know?** | **Positive impact** | **Negative impact** | **Mitigation - what actions will you take to lessen impact?** |
| --- | --- | --- | --- | --- |
| **Age –** older and younger people | Traffic Routes are used by all age groups in both vehicle and pedestrian settings.  Those younger people, especially in a Higher Education setting, and around those facilities, are particularly vulnerable to personal harassment and violence, whilst the latter could be said to for older and the elderly, they do have additional challenges around mobility and the impact, due to age.  Conditions such as Age-Related Macular Degeneration, and how the eyes photoreceptor cells ‘Cones and Rods’ in particular Rods operate and respond in low light levels as these are concentrated in the outer areas of the retina and give us our peripheral vision. This is just one example of many eye conditions.  People of working age with visual impairments will experience difficulty with independent travel with residual vision impounded with lower lighting levels.  Reduced lighting and colour shift may have an impact on the mobility of people of different age groups, and their perception of safety around trips and falls.  There may also be greater feelings of vulnerability  and fear of crime, including hate crime |  | Yes | Avoid complete switch off during all hours of darkness. |
| **Disability –** the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually  impaired people, people with mental health issues, people with learning difficulties, people living with autism and people with physical impairments | Many social and health care facilities which support people with protected characteristics can be found located on Traffic Routes in Derby  Derby has the largest population of Deaf people who are BSL (British Sign Language) users in the country and this includes a number of people with varying degrees of both hearing and visual impairment. There are also many elderly people who have both hearing and visual impairment.  Reduced lighting may have an impact on the mobility of people with disabilities, especially those with visual impairment and, there may be greater feelings of vulnerability, fear of crime including hate crime.  Poor lighting impacts on balance (it is a lesser-known fact that hearing loss can cause balance disorders)  <https://www.hearinglink.org/your-hearing/balance-disorders/what-is-a-balance-disorder/>  This means, for deaf people, it can lead to a greater risk of trips and falls. There are many Deaf people who do not like to go out in the dark because of this and generally, concerns around safety. |  | Yes | Avoid complete switch off during all hours of darkness. |
| **Gender identity-** trans and those people who don’t identify with a particular gender, for example, non-binary, genderfluid, genderqueer, polygender and those who are questioning their gender or non-gendered identity. | Derby has a rich heritage of supporting the LGBTQ+ culture and community. Derby Pride is an established charitable organisation and works with local sponsors in providing annual events across the city, including fundraising to support and showcase the community.  Derby has a diverse community and hate crimes are reported regularly in relation to prejudice/ sexual orientation/ racism/transgender/religion/disability and gender.  Over the whole of Derbyshire, Derby has the highest report of hate crimes, and a significant amount are reported during the night-time economy.  There may be greater feelings of vulnerability  and fear of crime, including hate crime.  Hate crime can be targeted at individuals when they appear vulnerable, and the suspect is less likely to be identified. Conditions of the area including lighting, can be a contributing factor. |  | Yes | Avoid complete switch off during all hours of darkness. |
| **Marriage and Civil Partnership** | Not applicable |  |  |  |
| **Pregnancy and maternity -** women who are pregnant or who have recently had a baby, including breast feeding mothers | Many social and health care facilities which support people with protected characteristics can be found located on Traffic Routes in Derby.  Pregnant women and/or people with  babies and small children  may feel more vulnerable  although data does not  exist to identify the likely  impact. |  | Yes | Avoid complete switch off during all hours of darkness. |
| **Race -** the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community | Derby has a diverse community and hate crimes are reported regularly in relation to prejudice/ sexual orientation/ racism/transgender/religion/disability and gender.  Over the whole of Derbyshire, Derby has the highest report of hate crimes, and a significant amount are reported during the night-time economy.  People living in deprived areas and those from minority ethnic backgrounds are three times  more likely to be killed or injured as pedestrians on the roads, according to studies  Source: (<https://www.livingstreets.org.uk/news-and-blog/press-media/deprived-and-ethnic-minority-pedestrians-three-times-more-likely-to-be-injured-on-britain-s-roads>)  Reduced lighting may have an impact on BAME citizens perception of personal safety, including crime and hate crime.  Hate crime can be targeted at individuals when they appear vulnerable, and the suspect is less likely to be identified. Conditions of the area including lighting, can be a contributing factor. |  | Yes | Avoid complete switch off during all hours of darkness. |
| **Religion or belief or none -** the effects on religious and cultural communities, customers and colleagues | Many places of worship which support our communities can be found located on Traffic Routes in Derby. Access to these, which, can be sometimes outside the Ward of residence, is my means of public transport, private vehicles or active travel (walking/cycling).  Derby has a diverse community and hate crimes are reported regularly in relation to prejudice/ sexual orientation/ racism/transgender/religion/disability and gender.  Over the whole of Derbyshire, Derby has the highest report of hate crimes, and a significant amount are reported during the night-time economy.  Reduced lighting may have an impact on the mobility of worshipers as there may be greater feelings of vulnerability  and fear of crime, including hate crime.  Hate crime can be targeted at individuals when they appear vulnerable, and the suspect is less likely to be identified. Conditions of the area including lighting, can be a contributing factor. |  | Yes | Avoid complete switch off during all hours of darkness. |
| **Sex -** the effects on both men and women and boys and girls | Safer Streets is a Home Office initiative that offers additional financial support to police forces and local authorities to invest in crime prevention initiatives, including improved street lighting, which target violence and sexual harassment against women and girls in public spaces. The Council has taken advantage of these funding opportunities to implement crime prevention measures and the council could come into real criticism for reducing lighting levels.  Violence Against Women and Girls is a current priority regarding the Night-time Economy in the City. We know that intoxicated and therefore vulnerable young women often walk these routes late at night/early in the morning.  Research shows that well-lit areas help to make women and girls feel safer and more confident accessing public areas. This could be seen as step back in terms of our commitment to VAWG issues and ensuring that women and girls feel safe in the City.  There may be greater feelings of vulnerability  and fear of crime preventing women and girls to enjoy the freedom of mobility and public life. |  | Yes | Avoid complete switch off during all hours of darkness. |
| **Sexual orientation -** the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality | Derby has a rich heritage of supporting the LGBTQ+ culture and community. Derby Pride is an established charitable organisation and works with local sponsors in providing annual events across the city, including fundraising to support and showcase the community.  Derby has a diverse community and hate crimes are reported regularly in relation to prejudice/ sexual orientation/ racism/transgender/religion/disability and gender.  Over the whole of Derbyshire, Derby has the highest report of hate crimes, and a significant amount are reported during the night-time economy.  There may be greater feelings of vulnerability  and fear of crime, including hate crime.  Hate crime can be targeted at individuals when they appear vulnerable, and the suspect is less likely to be identified. Conditions of the area including lighting, can be a contributing factor. |  | Yes | Avoid complete switch off during all hours of darkness. |

**Important** - For any of the equality groups you don’t have any information about, then please contact our Lead on Equality and Diversity for help. You can also get lots of information on reports completed from organisations’ websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don’t put down that the impact affects ‘everyone the same’ – it never does!

**Step 3 – deciding on the outcome**

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

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| **Outcome 1** |  | **No major change needed** – the EIA hasn’t identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken |
| **Outcome 2** |  | **Adjust the proposal** to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified? |
| **Outcome 3** |  | **Continue the proposal** despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are:   * sufficient plans to stop or minimise the negative impact * mitigating actions for any remaining negative impacts * plans to monitor the actual impact. |
| **Outcome 4** | **P** | **Stop and rethink** the proposal when the EIA shows actual or potential unlawful discrimination |

Why did you come to this decision?

The EIA Panel recommends **Outcome 4** due to the negative impact this will have on personal safety in particular of women and girls and the fear of crime as well as hazards for visually impaired people .

* The proposal signals a significant departure from maintaining sector standards and good practice.
* Whilst there is not a legal duty to provide street lighting, a precedent and expectation has been set for what constitutes a safe level of lighting which road users, the public and pedestrians have come to expect from the Council as part of public service provision of street lighting in the city.
* The EIA panel believe that it is critical to raise the significant safety issues that all sections of the Derby’s community will face if streetlights are dimmed to the levels being proposed.
* The EIA panel also wants to raise particular concern about the likely detrimental impact such measures would have on the health, safety and well-being of disabled people and women. The safety and freedom of these groups could become seriously compromised.

**The EIA panel also recommends the following:**

* Obtaining input and feedback from the Police about the proposals
* What other risk assessments have been done?
* Will there be a negative impact on CCTV surveillance in terms of the ability to fully capture images?
* Do we fully understand how the combined impact of certain budget cut policy decisions when combined – as will be the case in relation to street cleansing and a reduction in street lighting - could together mean adverse, unintended consequences for certain equality protected characteristics in the city?
* The proposed measures are counter to the Council’s proposal for the city Master Plan in terms of regeneration and development.

**Appendix 1**

**Equality impact assessment form– please read this section first before you do the assessment**

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact, you need to do an equality impact assessment whenever a decision is needed about our services and functions that affects people and **before** that decision is made. This also includes quick Covid 19 related decisions.

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories…

* Organisational policies and functions, such as recruitment, complaints procedures, re-structures.
* Key decisions such as allocating funding to voluntary organisations, budget setting.
* Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to complete them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have ‘**due regard’** to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a ‘**relevant protected characteristic’** and people who don’t. The nine protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race religion and belief, sex and sexual orientation.

Having ‘due regard’ means:

* removing or minimising disadvantages suffered by people due to their protected characteristics
* taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
* encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

This completed form should be attached to any Corporate Leadership, Senior Leadership, Cabinet or Personnel Committee report to help decision makers take the equality implications into account when they make the decision. Equality impact assessments **must be done before** decisions are made.

You’ll find that completing these assessments will help you to:

* understand your customers’ and communities needs
* develop service improvements
* improve service satisfaction
* demonstrate that you have been fair and open and considered equality when working on re-structuring
* make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Unless this is a quick Covid 19 decision, don’t do the form by yourself. Get a small team together and make sure you include key people in the team such as representatives from our Equality Hubs and Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You’ll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you’ll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

Remember, we need to complete these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010. If in doubt – it’s better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge and someone applies for Judicial Review.

When you have completed the assessment, get it signed by your Head of Service or Service Director and **send it to our Lead on Equality and Diversity for checking and to publish on our website.** It is a public document so must not contain any jargon and must be easy to understand.

**Contact for help**

Ann Webster – Lead on Equality and Diversity

[ann.webster@derby.gov.uk](mailto:ann.webster@derby.gov.uk)

Tel 01332 643722 mobile 07812301144

[Sign Language Service](https://www.derby.gov.uk/signing-service/)

We can give you this information in any other way, style or language that will help you access it. Please contact us on **01332 643722, 07812301144** or **derby.gov.uk/signing-service/**

**Punjabi**

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਇੱਥੇ ਸੰਪਰਕ ਕਰੋ: **01332 64XXXX** ਜਾਂ [**derby.gov.uk/signing-service/**](https://m365.eu.vadesecure.com/safeproxy/v4?f=cz0ZWu24j28Vl3BzVuSdCoMCDHCpL9JaioWisQGi8S3bCtXk5W_yq3A1dfyVYoVx&i=PzsE2Gw3YTbfFz6VRd0Fp7PxwveHyJEAnSRCrEBoAvjp2JnIw93iHpjapoZiIAzMglI-pzPfWmh3zAXeaCy-cA&k=eT2K&r=WEhxufS7rROOSKWC-Ni-ndX3MbR3jmgif-yU_rjLBEeXieKDl9GVjsBYwsEYj00cS2TOCi-p9sppx0CalkJbVw&s=276a2020258c8586ddb25bb54ee75c8fa638b7e241f542e2eb47998ae5359519&u=http%3A%2F%2Fwww.derby.gov.uk%2Fsigning-service%2F)

**Polish**

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: **01332 64XXXX** lub [**derby.gov.uk/signing-service/**](http://www.derby.gov.uk/signing-service/)

**Slovak**  
Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Prosím, kontaktujte nás na tel. č.: **01332 64XXXX** alebo na stránke [**derby.gov.uk/signing-service/**](http://www.derby.gov.uk/signing-service/)

**Urdu**

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم **640000 01332**  یا **derby.gov.uk/signing-service/** پر ہم سے رابطہ کریں