



Equality Impact Assessment Form

Department	Place	Version no	1.0
Assessed by	Richard Gelder	Date created	03/10/2017
Approved by	Julian Jackson	Date approved	
Updated by		Date updated	
Final approval		Date signed off	

The Equality Act 2010 requires the Council to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups

Section 1: What is being assessed?

1.1 Name of proposal to be assessed.

Policy for banning the use of advertising boards and the enforcement of a district wide ban.

1.2 Describe the proposal under assessment and what change it would result in if implemented.

The proposal under consideration in this Equalities Impact Assessment is the introduction of a policy banning the use of advertising boards on areas of highway within the Bradford District, including the Council’s approach to enforcement of the policy using the powers contained within Part 4 of the Anti Social Behaviour Crime and Policing Act 2014.

Introduction of this policy would assist vulnerable users move around the district unhindered by temporary, mobile obstructions of the highway created through the use of advertising boards.

Section 2: What the impact of the proposal is likely to be

2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who



share a protected characteristic and those that do not? If yes, please explain further.

Yes. The introduction of this policy would ensure that temporary, mobile obstructions created through businesses using advertising boards would no longer be present on the highway. The removal of these obstructions would allow people to walk along their local streets without fear of colliding with a heavy, painful sign.

2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.

Yes - see above.

2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.

No.

2.4 Please indicate the level of negative impact on each of the protected characteristics?

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

Protected Characteristics:	Impact (H, M, L, N)
Age	N
Disability	N
Gender reassignment	N
Race	N
Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
Additional Consideration:	
Low income/low wage	L

2.5 How could the disproportionate negative impacts be mitigated or eliminated?



(Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

Section 3: Dependencies from other proposals

3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.

- Neighbourhood and Warden services would need to be advised on the introduction of this policy in relation to the approach taken by wardens encountering advertisement boards during the performance of their duties.

Section 4: What evidence you have used?

4.1 What evidence do you hold to back up this assessment?

Who Put That There! The barriers to blind and partially sighted people getting out and about, February 2015, RNIB Campaigns.

Report of the Strategic Director (Regeneration) to the Health and Social Care Overview & Scrutiny Committee to be held on 8th December 2016, Review of the Operation of the Council’s 12 month trial ban of pavement obstructions.

Report of the Strategic Director, Regeneration & Culture to the meeting of Health & Social Care Overview & Scrutiny Committee to be held on 6 February 2014, The Council’s approach to dealing with ‘A’ boards and other obstructions on the highway under the Highways Act 1980.

‘A’ Boards and Shop Pavement Displays as Obstruction on the Public Highways report to Environment and Waste Management Overview and Scrutiny Committee, 1 September 2011.

Consultation with Local Businesses in the four trial zone areas as part of the review of the 12 month trial ban of pavement obstructions.

Consultation with local disabled groups via the Strategic Mobility Planning Group.

4.2 Do you need further evidence?

No.

Section 5: Consultation Feedback



5.1 Results from any previous consultations prior to the proposal development.

The following is a gathering of comments, made by disabled individuals and are in no particular order.

A 100% zero tolerance approach across the whole district would be the ideal scenario.

If the council proceeds with the introduction of the ban then any officers taking on the responsibility of the newly envisaged enforcement roles (Neighbourhood Wardens?) would also benefit from relevant identified training that covers a basic understanding of differing disabled peoples access needs.

Tougher action is required on those who regularly offend by obstructing the highway at placing A-boards and shop pavement displays outside or near their premises. The current policy is of an arbitrary nature and relies on the goodwill of the trader to comply and lacks any real teeth in making sure the guidelines are properly adhered to. It allows a cat and mouse game to take place between the traders and the single Highway Enforcement Officer who has responsibility for making sure this and other additional duties he has are carried out. This is both time consuming, and has untold potential health and safety consequences on those pedestrians who are deemed vulnerable.

The group acknowledges the difficulty the Council has in balancing the needs of people with mobility issues and the desire of shop keepers to promote their businesses; however these two issues are not as polarised as they appear. People with visual impairments, those in wheelchairs and motorised scooters or those pushing prams and buggies are all shoppers. Pavement obstacles are a hindrance and act as a deterrent to these groups of shoppers and in such cases the removal of obstructions will increase foot fall not decrease it. Having free advertising space, on the public highway seems wrong in the eyes of the law and unfair to those traders who comply?

The Broadway Shopping Centre have stated recently in various forums via its media public press outlets, that the new Broadway Shopping Centre will adhere to a strict policy of banning use of A boards and any unauthorised display of goods within their boundary. It would be good to have the rest of the city centre follow suit.

In line with national government policy, public realm environments in many high pedestrian areas such as city centres and key tourist destinations have changed considerably over the recent years. The government policy aims to encourage designers and custodians of the built environment to ensure people can walk in safe and accessible places. Pavement obstructions only add to already existing clutter. It goes against the grain of how we want our areas of shopping to look and feel like.

We believe most traders are genuine and law abiding citizens and that any misdemeanours on the highway unknowingly caused, is usually through ignorance of disabled peoples needs, rather than a deliberate attempt at setting out to harm or



obstruct people’s movement. Implementation of any new approach towards tackling pavement enforcement should include explanatory type narrative that educates traders about disabled people’s access needs, as well as the reasons this having to be done.

Engagement with Businesses

Across all of the trial zones a total of 386 questionnaire letters were issued together with 36 email questionnaires. This approach has resulted in 10 responses from businesses representing a return rate of 2.3%

Consistency of approach across the district is welcomed by businesses. Having separate areas where different rules apply (as in the trial situation) is not welcomed.

All businesses believe that the introduction of a ban on the use of advertising boards has adversely affected their trade although evidence to support this position was not provided in the questionnaire returns.

Inter-Departmental Feedback on Trial Zones

One key difficulty which was identified with ensuring effective and appropriate enforcement of the ban related to the availability and accuracy of highway records for the trial areas. Whilst the Council’s records of adopted / un-adopted highways are currently stored in its computerised graphical information system (GIS) this information was not available to the wardens whilst on patrol.

5.2 The departmental feedback you provided on the previous consultation (as at 5.1).

The support of local and national disabled interest groups (including the RNIB) towards the introduction of a full ban on the use of advertising boards is corporately supported. However, the mechanics of introducing such a ban and its enforcement need to be carefully developed.

The impact of the ban on local businesses could not be quantified in terms of loss of trade but all businesses who responded to the consultation were convinced that the prohibition on the use of advertising boards had detrimentally impacted their businesses.

Reference in the policy to dealing with areas of contented ownership was introduced to ensure a consistency of approach.

5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).

The introduction of the ban is supported .



5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.

The enforcement proposals and policy have been developed in line with responses received, available council resources and associated with the recommendations from Full Council.