



Equality Impact Assessment for the Local Implementation Plan (LIP3)

June 2019

1. Introduction

- 1.1 This document is the adoption Equality Impact Assessment (EqIA) for the London Borough of Merton Local Implementation Transport Strategy, known as LIP 3. The Local Implementation Plan (LIP) is a statutory document prepared under Section 145 of the GLA Act and sets out how the borough proposes to deliver the Mayor's Transport Strategy (MTS) in its area, as well as contributing to other local and sub-regional goals. It has been developed in accordance with the Revised Guidance for Borough Officers on Developing the Third Local Implementation Plan (LIP). It covers the same period as the MTS (published in March 2018) and it also takes account of the transport elements of the draft London Plan 2018 (including the minor changes) [2019) and other relevant Mayoral and local policies and strategies .
- 1.2 Merton's LIP 3 (the third LIP) sets out long terms goals and transport objectives for the London Borough of Merton for the next 20 years, a three year programme of investment starting in 2019/20, includes delivery proposals for the period 2019/20 - 2021/22, the targets and outcomes the borough are seeking to achieve. The LIP, identifies how Merton Council will work towards achieving the MTS goals of:
- Transport for London (TfL) Healthy Streets and healthy people
 - A good public transport experience
 - New homes and jobs

2. Equality legislation and strategies

- 2.1 The Equality Act 2010¹ replaces previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection; and sets out the different ways in which it's unlawful to treat someone. Before the Act came into force there were several pieces of legislation to cover discrimination, including:
- the Equal Pay Act 1970
 - the Sex Discrimination Act 1975
 - the Race Relations Act 1976
 - the Disability Discrimination Act 1995
 - the Employment Equality (Religion or Belief) Regulations 2003
 - the Employment Equality (Sexual Orientation) Regulations 2003
 - the Employment Equality (Age) Regulations 2006

¹ www.legislation.gov.uk/EqualityAct2010

- the Equality Act 2006, Part 2
- the Equality Act (Sexual Orientation) Regulations 2007

2.2 At the decision making stage local authorities are required to assess how changes to policies and service delivery will affect different people. In 2011, the Act extended protection against discrimination to nine '*Protected Characteristics*' which includes the following:



2.3 The Act introduces a '**Public Sector Equality Duty**' to ensure that in exercising functions, delivering services and partnership we:

- eliminates discrimination, harassment and victimisation
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share protected characteristic foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The London Borough of Merton Equality Community Cohesion Strategy

- 2.4 Merton Council's Equality Strategy 2017-21² sets out the council's approach to valuing diversity and promoting equality. The strategy aims to deliver good quality services that meet the needs and aspirations of all the borough's residents, service users, employees and visitors. The strategy addresses the needs of people who have traditionally faced discrimination or received less favourable treatment based on their 'Protected Characteristics' (age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, sexual orientation. Additionally it covers issues related to socio-economic disadvantage, health inequalities, child poverty, community safety and social mobility.
- 2.5 The aim of the Strategy is to address keys issues such as:
- bridging the gap between the levels of deprivation and prosperity in the borough particularly focusing on:
 - raising educational attainment for all children and young people and reduce attainment gaps for target groups including children with special education needs or disabilities, those who are looked after in care, specific BAME groups, specific groups of White boys and those who are excluded from school
 - tackling rising unemployment particularly among young BAME communities and disabled residents and supporting those who are long term unemployed back into work
 - reducing health inequalities particularly the issues affecting some BAME communities, disabled and older residents
 - support residents who may be affected by mental illness or dementia
 - increasing education and economic opportunity in the east of the borough
 - Improving understanding of the borough's diversity and foster better understanding between communities.
 - Improving understanding of 'hidden' disabilities and the challenges that disabled residents face in all aspects of their lives. We aim to work in a cross-cutting way and take a holistic approach to more effectively address the needs of disabled residents. supporting those who do not usually get involved in decision-making to better understand how they can get involved and get their voices heard
 - Supporting residents to access on-line access services
 - Providing services that meet the needs of a changing population.
 - employing staff that reflect the borough's diversity

² www2.merton.gov.uk/equality-strategy

Equality Community Cohesion Strategy objectives

- 2.6 Merton Council has developed 6 equality objectives that aim to improve the life chances of Merton residents and create a more level starting point for all. The objectives are:
- 1) To ensure key plans and strategies narrow the gap between different communities in the borough
 - 2) Improve equality of access to services for disadvantaged groups
 - 3) Ensure regeneration plans increase the opportunity for all Merton's residents to fulfil their educational, health and economic potential, participate in the renewal of the borough and create a health promoting environment.
 - 4) Encourage recruitment from all sections of the community , actively promote staff development and career progression opportunities and embed equalities across the organisation
 - 5) Promoting a safe, healthy and cohesive borough where communities get on well together
 - 6) Fulfil our statutory duties and ensure protected groups are effectively engaged when we change our services

3. What is an Equality Impact Assessment (EqIA?)

- 3.1 An EqIA is an essential tool that helps local authorities to ensure policies and the way they are carried out (once adopted) do what they are intended to do and for everybody. EqIA's helps local authorities to meet the requirements of the equality duties and identify active steps they can take to promote equality.
- 3.2 Carrying out an EqIA involves systematically assessing the likely (or actual) effects of policies on the population in regards of the Protected Characteristics³ and; where authorities chooses, wider equality areas. This importantly includes looking for opportunities to promote equality that have previously been missed or could be better used, as well as negative or adverse impacts that can be removed or mitigated. Furthermore if any negative or adverse impacts amount to unlawful discrimination, are immediately removed.

4. Key changes to the final LIP

- 4.1 Stakeholder involvement enabled those affected by the LIP to comment on the document. By consulting with the local community, residents/community groups, environmental advisory bodies and other interested parties, their comments have been incorporated into the final LIP, where appropriate. The environmental bodies consulted on the SEA scoping report were Natural England, the Environment Agency and Historic England. The council received comments from Natural England and Historic England. The council did not receive any comments from the above on the Environmental Report.

³ Protected characteristics are the nine groups protected under the Equality Act 2010. They are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

Public consultation

- 4.2 The council undertook the public consultation between 1st March 2019 and 12th April 2019. The council sent invites and letters to those on the Local Plan database. This database is made up of members of the public, community/residential groups, environmental groups, businesses and other interested groups. Those on the Local Plan database are those who 'opted' to remain on the database following the new GDRP procedures. The consultation was predominately an online consultation which, included a short online questionnaire on its dedicated webpage. To raise awareness messages were posted on Merton Council's social media pages (Twitter and Facebook). Furthermore, hard copies of the draft LIP were placed in Merton's reference libraries.
- 4.3 The council received in total 108 responses. The majority of responses received were received via the online survey (88) and a further 20 email/letter responses. We received responses from a number of organisations and bodies, they were:
- Historic England
 - Natural England
 - The Environment Agency;
 - South London Partnership (made up of the following Councils: Merton, Croydon, Kingston, Sutton and Richmond);
 - Merton's Chamber of Commerce/Business Improvement Districts (BID)
 - Merton's Sustainable Communities and Transport Partnership (SCTP).
 - Public Health Merton
 - Merton Cycling Campaign
 - Wandle Valley Forum

Figure 1: Changes to LIP3 following consultation

LIP chapter	Key changes resulting from the SEA process
Chapter 2: Borough Transport Objectives	<p>Figure 6: Trips by transport mode Updated figure (May 2019). Additional analysis and information.</p> <p>Additional analysis on accidents data (2015-2018) road users.</p> <p>Further details on the borough wide 20MPH speed limit roll out.</p> <p>Comprehensive redesign of Figges Marsh roundabout junction. Additional project, be incorporated within Potential public transport infrastructure improvements highlighted in figure 16 of draft LIP3.</p> <p>Proposed cycle infrastructure map and delivery programme reviewed in consultation with Merton Cycling Campaign. Longer term cycle interventions up to 2041 outlined.</p> <p>'Access for All bid' to the Department of Transport. At the time of writing the draft LIP, the council had supported South Western Railways in its bid for funding to provide step free access at Raynes Park and Motspur Station. Unfortunately the bid was unsuccessful.</p>
Chapter 3: Mayor's Transport Strategy outcomes	<p>Additional text added to LIP3:</p> <p>3.116 The council places making its stations 'accessible to all' as a high priority, but recognises the practicalities and cost in achieving this on a historic rail network. It will therefore continue to lobby TfL, Network Rail and Rail Operating Companies to delivery more step free stations across the borough. The council will therefore being re-engaging with Network Rail/SWR to explore alternative approaches to achieving accessibility improvements.</p> <p>3.117 Where development comes forward at or close to station locations it will use its planning policies to push for improved access arrangement for people with mobility issues. Similarly, where railway assets, such as isolated over track footbridges are planned we will push for wider access enhancements, such as wider walkways, fully accessible ramps and cycle ramps.</p>

5. EqlA Screening

- 5.1 The above changes to the LIP3 are not believed to have any adverse impacts to the Protected Characters as the changes, strengthens and provide clarity to the plan in a positive way following the public consultation feedback and comments. Unlike other plans, the LIP is restricted in having to adhere to the Mayor Transport Strategy outcomes.

Appendix 1: Equalities legislation

The Disability Discrimination Act 1995 outlaws the discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises.

The Disability Discrimination Amendment Act 2010 introduces a positive duty on public bodies to promote equality for disabled people.

The Equality Act 2010 introduces a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. The Act also protects access discrimination on the grounds of religion or belief in terms of access to good facilities and services.

Gender Recognition Act 2004 - The purpose of this Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel.

The Race Relations Act 1976 prohibits discrimination on racial grounds in the areas of employment, education, and the provision of goods, facilities, services and premises.

The Race Relations Amendment Act 2000 places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups.

The Race Relations Act 1976 (Amendment) Regulations 2003 introduced new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions.

The Sex Discrimination Act 1975 makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs. Along with:

- Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations 2001,
- Sex Discrimination Act 1975 (Amendment) Regulations 2003, and
- Sex Discrimination Act 1975 (Amendment) Regulations 2008.

Marriage (Same Sex Couples) Act 2013 makes provision for the marriage of same sex couples in England and Wales, about gender change by married persons and civil partners, about consular functions in relation to marriage, for the marriage of armed forces personnel overseas, for permitting marriages according to the usages of belief organisations to be solemnized on the authority of certificates of a superintendent registrar, for the review of civil partnership, for the review of survivor benefits under occupational pension schemes, and for connected purposes.

The Sex Discrimination (Gender Reassignment) Regulations 1999 seeks to prevent sex discrimination

relating to gender reassignment. It clarified the law for transsexual people in relation to equal pay and treatment in employment and training.