City of Edinburgh Council
Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) Background Details

Please list ERIA background details:

ERIA Title and Summary Description: Edinburgh Tram York Place to Newhaven - Updated Outline Business Case

Service Area	Division	Head of Service	Service Area Reference No.
Place	Transport	Michael Thain	n/a

(b) What is being impact assessed?

Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
A report is being prepared for the Transport & Environment Committee on 4 September 2017 This report will set out an Updated Outline Business Case for Edinburgh Tram - York Place to Newhaven	18/08/2017

(c) When is it due to be reviewed? (insert furthest away date if question relates to a number of review dates) **August 2018**

(d) ERIA Team

Please list all ERIA Team Members:

Name	Organisation / Service Area
Rob Leech	Anturas Consulting Limited
Ewan Kennedy	Transport

Part 2: Evidence and Impact Assessment

(a) Evidence Base

Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at part 3a. Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
Customer Services Database during the construction phase	
Patronage and revenue data post implementation	
Census data regarding trip making patterns	
Uplift in ecomonic development via the statutory planning process	

(b) Rights Impact Assessment – Summary

Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

☒ Life
☒ Health
☒ Physical security
☐ Legal security
☐ Education and learning
☒ Standard of living
☐ Productive and valued activities
☐ Individual, family and social life
☐ Identity, expression and respect
☐ Participation, influence and voice

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see part 1b) and relevant evidence (see part 2a).

Summary of Enhancements of Rights
Life & Health - the provision of an enhanced public transport service, with zero local emissions will benefit the local environment and promote life, health and wellbeing. Model shift from private car to public transport will also benefit life, health and wellbeing. Physical Security - Operational trams have Ticket Services Assistants (TSAs) on board - these providing not only assistance to passengers and revenue protection, but also foster a secure environment for tram passengers. There is full CCTV coverage on board all operating trams during service. Standard of living - by connecting places of residence with places of employment or to their desired destinations, the tram system provides a comfortable and reliable public transport option for people to undertake a journey, thereby enhancing standard of living.
Summary of Infringement of Rights Can these infringements be justified? Are they proportional?
It is considered that the opportunity to expand the tram system will not lead to an infringement of rights, other than some potential reductions in standard of living locally through the construction period. In the context of the wider Local Transport Strategy which sets out a policy to reduce car usage while increasing alternate modes of transport,

particularly to increase the use of public transport in the City as well as non motorised means of travel. The potential impact on the individual is outweighed by the wider benefits of a healthy and safer environment with reduced congetion and improved journey times for all.

(c) Equality Impact Assessment – Summary

Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

☒ Age
☒ Disability
☒ Gender identity
☐ Marriage / civil partnership
☐ Pregnancy / maternity
☐ Race
☐ Religion / belief
☐ Sex
☐ Sexual orientation

1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see part 1b) and relevant evidence (see part 2a).

Positive Impacts
The proposed report to Committee is considered to be non-discriminatory with regard to the rights of any individual, and would be considered to have a positive impact on the community as a whole. Tram operations are governed by a series of bylaws and conditions of carriage which protect the passengers against all forms of discrimination, harassment and victimisation.
Negative Impacts
The construction phase has the potential to negatively impact upon an individual's ability to move freely and access the areas of the City affected by the works. This impact will be relatively short term in duration, but could result in a negative economic effect on some local businesses and individuals depending on specific circumstances. Mitigation measures are set out in the Updated Outline Business Case

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see part 1b) and relevant evidence (see part 2a).

Positive Impacts
Edinburgh is a major employment hub which attracts a workforce from within the city and from surrounding areas. The city's economy has been relatively resilient during the economic downturn and is set to grow strongly as economic conditions improve. The expected growth in the city is not limited to north Edinburgh, and as other parts of the city develop and opportunities for investment begin to crystallise, there will be a requirement to manage this growth in a sustainable way, and recognise the need to identify

and safeguard public transport corridors to link key nodes in the city.The development of the Edinburgh Tram Network as envisaged by the Edinburgh Tram system is part of the development of a wider sustainable transport policy for Edinburgh. Other measures include the managed development of the bus network potentially including bus only routes, the expansion of park and ride sites, the promotion of active transport (walking and cycling), moves towards low emission and electric vehicles and the use of intelligent transport management systems to aid personalised journey planning. The tram system facilities this integration opportunity.

Without such measures, the city is likely to experience congestion difficulties as it grows over time. Trams, predicated as part of this broader sustainable approach, can therefore provide significant benefits to Edinburgh from an economic, social, accessibility and environmental viewpoint by virtue of the ability to move large quantities of people across the city, whilst enhancing the city's image, reputation and quality of life.

The tram is a new component of the city's transport hierarchy. However its' distinctive features mean that it has the potential to make a major contribution to an integrated sustainable transport system for the city, providing High capacity – the ability to move even larger numbers of people than buses, taking up less roadspace than the equivalent capacity of buses; A quiet and smooth travel experience; Predictably level and step free access, which meet the provisions relating to disability in the Equality Act 2010 and 100% electric traction with associated local environmental benefits.

The extension of the tram line could be expected to unlock key gap sites along the route currently perceived as remote and/or difficult to access. The greatest regeneration impact could be expected to be realised in the stretch between the Foot of the Walk and Ocean Terminal due to the perceived remoteness and inaccessibility of sites in this area. Together these attributes make tram especially suitable for catering for movement on corridors with the largest people movements and for helping support and catalyse major concentrations of development.

Negative Impacts

The most significant negative impact will be realised during the construction phase, which given the nature of the project will be complex, lengthy and disruptive at a local and potentially strategic level to both individuals, residents and business. Given the fact that the tram system will change the layout of the street environment, there will be reductions in parking and loading provision in certain areas, and this again, has the potential to negatively impact upon the way that people currently go about their business. These impacts are however, considered to be relatively short term in nature and outweighed by the wider positive impacts and opportunities in the broader City context.

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see part 1b) and relevant evidence (see part 2a).

Positive Impacts

Once operational, the tram bylaws and conditions of carriage protect the rights of the individual and are fully non-disriminatory and enforcecable under the law.

Negative Impacts

Negative impacts arising during the construction phase will be managed under the contract with the future construction contractor. Lessons learned from the construction of phase 1

will be deployed including the provision of logistics support and a dedicated stakeholder relationship resource to deal with local issues as they arise in the local/impacted area.

Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(a) Evidence Gaps

Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
At this stage in the development of the project, a decision is being sought to move the project to the next stage - Stage 2 Procurement. There will be sufficient opportunity to engage with key stakeholder groups in the affected areas during this period, both at the Council officer and political level.	Maintain local engagement with members and key stakeholders during the next phase of the project. This will include dicsussion of proposed approach to construction, design and operations.

(b) Recommendations

Please record SMART recommendations which may include actions to

(i) eliminate unlawful practice or infringements of absolute rights;
(ii) justify identified infringements of rights; or
(iii) mitigate identified negative equality impacts
(iv) further advance equality and rights, and promote good relations.

Recommendation	Responsibility of (name)	Timescale

(c) Sign Off

I, the undersigned, am content that:

(i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base;
(ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights;
(iii) the ERIA recommendations are proportionate and will be delivered;
(iv) the results of the ERIA process have informed officer or member decision making;
(v) that the record of ERIA has been published on the Council's website / intranet, or
(vi) that the ERIA record has been reviewed and re-published.

Date	**Sign Off (print name and position)**	**Reason for Sign Off** (please indicate which reason/s from list (i) to (vi) above)
August 2017	Ewan Kennedy	(i), (ii), (iv)
