

BLOOMSBURY RESIDENTS' ACTION GROUP

PROOF OF EVIDENCE 9

Problems caused for people with impaired mobility

SUMMARY

by NICKY COATES

1. EQUALITY IMPACT ASSESSMENT (EIA)

The one-way system has impacted badly on many hundreds of local people, but the group which must cause most concern is people with a disability whose lives have been made even more difficult by the Council's action. This is both callous and not compliant with the Equality Act. It is probably the most shocking of all the adverse outcomes – in its attitude both to a vulnerable group of people, and to the law. When the Equality Impact Statement (EIA) was presented at the February 2017 Cabinet, it seemed from the tone of the presentation that the case was felt to be weak. Closer reading for the EIA certainly supports that.

1.1 Negative impacts for people with disabilities

The Council's EIA list some of the negative impacts of the trial stated by people who have a disability, including increased costs of travel and difficulties of getting to hospital appointments.

1.2 Council's statement that negative impacts on people with disabilities are acceptable in Camden

- a) In spite of having set out the requirements of the Equality Act elsewhere in the paper, the Council states (page 44):

*'The views of the Cabinet Member and senior officers were that although **there were negative impacts on groups of people with protected characteristics** [my highlighting], that the positive impacts of the proposal to retain the trial layout ...outweighed the negative impacts.'*

- b) **So the view of the Cabinet member and senior officers is that they are justified in disadvantaging disabled people** and other legally protected groups because of the 'positive impacts' of the trial. Other Proofs of Evidence make it clear that these supposed positive impacts - safety and air quality - are unproven.
- c) But even if they had been proven, it is in contravention of the Equality Act, to measure the gains of able-bodied groups against the losses for protected groups.
- d) Clause 149 (1) a) of the Equality Act 2010 sets out very simply and clearly that the Council's duty is to 'eliminate discrimination'. **The Council is admitting explicitly that has brought about 'negative impacts on groups of people with protected characteristics' that is, it has caused discrimination, which is simply in contravention of the Act.**

1.3 Mitigation

- a) The mitigation proposed in the Council's EIA is in parts risible. It includes 'additional seating'; and 'cleaning the rubber blocks more frequently' - measures so trivial and irrelevant to the main issues that it is difficult to believe the Council takes the testimony of disabled people seriously at all. These superficial and cosmetic so-called mitigations do not even begin to touch the surface of the heart-felt and grave problems expressed by local disabled people.
- b) The Council EIA also includes the ominous statement:

'Mitigation measures to be considered could include area wide traffic management, or point closures in some locations to limit access by motor vehicle to some affected streets.'
- c) This looks like the Council is thinking of use the EIA as an pretext to go ahead with some unjustified, unsupported, whimsical pet projects, locally hated and feared – such as setting up more road blocks and thereby exacerbating, with apparent careless disregard, the serious adverse consequences for local people, and particularly disabled people.

1.4 EIA outcome and Council's self-assessment

- a) In Stage 5 of the EIA, 'outcome of the EIA', the Council should be acknowledging that it is discriminating, as stated in its own EIA, and so the trial should be stopped, according to the term of the Equality Act.
- b) Instead, it draws the conclusion:

'The proposal makes significant gains, including for protected groups, such as providing a safer and more attractive street environment, making cycling and walking safer and more attractive ways to get around. The proposal prioritises the majority who do not have access to cars, and who are reliant upon walking, cycling and access to public transport.'
- c) The above statement says gains are made for protected groups by '*making cycling and walking safer...*', (which is unproven) which can only lead one to assume that , even after all the feedback, recorded in the EIA and elsewhere, the Council still is unable to understand, or unwilling to recognise, that many disabled people cannot simply walk and cycle.
- d) The Council admits that it prioritises the majority who can walk, over those who cannot, contravening the Equality Act.
- e) This EIA does not justify the discrimination against people with disabilities caused by the trial; in fact it only serves to highlight (a) the serious day to day problems experienced by this group, whose rights are supposed to be protected under the law, and (b) the Council's recalcitrant attachment to the trial, regardless of the evidence and the impact on vulnerable groups, and it would seem, the law.