

LAGANSIDE CORPORATION

**PROMOTION OF THE USE OF THE RIVER
LAGAN POLICY**

EQUALITY IMPACT ASSESSMENT REPORT

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EXECUTIVE SUMMARY

A. Lagside Corporation is a non-departmental public body created by the Lagside Development (Northern Ireland) Order 1989. The Corporation is a small organisation whose parent department is the Department for Social Development.

B. The Corporation's Object is the regeneration of the designated area (Appendix 1).

C. The Corporation's *Promotion of the Use of the River Lagan* (River Use) policy states:

'...Lagside will promote, encourage and facilitate greater use of the river and its banks within its designated area for a range of activities and users...The context for promoting such use will include Corporate Plan priorities, a River Strategy, Events Strategy, statutory bye-laws and river/navigational guidelines'.

1. The river is used in a number of ways by different individuals and groups etc e.g.,

- access/infrastructure
- recreational, leisure and ongoing activities / commercial use
- residents
- events
- information/education programmes
- Health & Safety legislation and bye-laws
- river management

2. Initial screening of the River Use policy indicated that there may be a likely impact regarding access to river craft by disabled people (re: mobility). These craft could be private boats or the commercially operated Riverbus.

3. In performing the Equality Impact Assessment of this policy it was considered reasonable to suggest that in addition to people with mobility disabilities, other Section 75 categories such as age and those with dependents could also experience a similar likely impact regarding access to river craft.
4. Comment received during and after the EQIA consultation period varied from the consultation document being comprehensive, to the implementation of the EQIA process and the consultation approach adopted by the Corporation.
5. Laganside Corporation considered if there were any actions which might better achieve the promotion of equality of opportunity. The following actions which will also form the basis for monitoring the policy were concluded, Laganside Corporation will:
 - Monitor equality of opportunity complaints resulting from the implementation of this policy

INTRODUCTION

1. Laganside Corporation was created by the Laganside Development (Northern Ireland) Order 1989 which came into operation in May 1989. The Corporation is a small organisation, whose parent Department is the Department for Social Development. The Object and Powers of the Corporation are described in Part III of the Order as follows:

2. The Object of the Corporation shall be to secure the regeneration of the designated area (Appendix 1).

3. The Object is to be achieved in particular by the following means:
 - a. by bringing land and buildings into effective use.
 - b. by encouraging public and private investment and the development of existing and new industry and commerce.
 - c. by creating an attractive environment.
 - d. by ensuring that housing, social, recreational and cultural facilities are available to encourage people to live and work in the area.

4. Within this legislative context the aims of the Corporation are set out in its current Corporate Plan as:
 - ◆ Secure the regeneration of the Laganside area within an agreed strategy for the regeneration of Belfast.
 - ◆ Commit to the principles of equality, human rights and the targeting of social need.
 - ◆ Provide significant long-term economic, social and recreational benefits for the citizens of Northern Ireland.
 - ◆ Engage and secure the participation of local communities in the regeneration of the Laganside area.
 - ◆ Contribute to the development of a positive international image of Belfast leading to increased investment, and encouraging tourism.

SECTION 75 REQUIREMENTS

5. Section 75 of the Northern Ireland Act (the Act) requires the Corporation in carrying out its functions to have due regard to the need to promote equality of opportunity:
 - ◆ Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation.
 - ◆ Between men and women generally.
 - ◆ Between persons with a disability and persons without.
 - ◆ Between persons with dependents and persons without.

6. In addition and without prejudice to its obligation above the Corporation shall, in carrying out its functions, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

7. Schedule 9 of the Act requires the Corporation to set out in an Equality Scheme how it proposes to fulfil the duties imposed by Section 75. The Equality Scheme, which was approved by the Equality Commission in August 2001, sets out the arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by Laganside Corporation on promotion of equality of opportunity. The layout of this report follows Equality Commission guidance.

8. The Equality Commission considers that conducting an equality impact assessment requires seven separate elements, as set out in its 'Guide to the statutory duties':
 - Consideration of Available Data & Research
 - Assessment of Impacts
 - Consideration of:
 - Measures which might mitigate any adverse impact; and
 - Alternative policies which might better achieve the promotion of equality of opportunity
 - Formal Consultation

- Decision by Public Authority
- Publication of Results of Equality Impact Assessment
- Monitor for Adverse Impact in Future and Publication of the Results of Such Monitoring.

POLICY

9. Securing the regeneration of the river corridor involves taking advantage of the natural asset of the river to encourage a range of recreational, leisure and commercial activities, which will attract people and thus investment to the area.
10. To this end Laganside will promote, encourage and facilitate greater use of the river and its banks within its designated area for a range of activities and users.
11. The context for promoting such use will include Corporate Plan priorities, a River Strategy, Events Strategy, statutory bye-laws and river use/navigational guidelines.
12. Arrangements will be made for ongoing management of the river including operation of the weir which will facilitate control of water level and enhancement of water quality.
13. Laganside will encourage and facilitate increased use of the river environs through the provision of riverside pathways and river access facilities, promotion of events, encouragement of ongoing activities and educational and information programmes.
14. Best practice guidelines will be followed in terms of health and safety and environmental matters (with advice from statutory agencies and organisations such as RoSPA sought as appropriate).
15. Consultation on these matters and ongoing involvement of river users is facilitated through the Laganside River Forum; a list of representation is included in the list of Consultees attached as Appendix C.
16. Where appropriate Laganside will offer commercial leisure opportunities on the river based on defined guidelines and selection criteria.

BACKGROUND

17. The initial screening process, documented in Laganside Corporation's Equality Scheme, considered the following criteria:
 - a. Is there any evidence of higher or lower participation or uptake by different groups within the nine categories?
 - b. Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular main policy area?
 - c. Is there an opportunity to better promote equality of opportunity or good relations by altering policy or working with others in Government or the community at large?
 - d. Have consultations in the past with relevant representative organisations or individuals within groups indicated that policies create problems that are specific to them?

18. Initial screening of the Promotion of the Use of the River Lagan (River Use) policy indicated that under criteria a., b. and c., there may be a likely impact regarding access to river craft by disabled people (re: mobility). These craft could be private boats or the commercially operated Riverbus.

19. In 1989, Laganside's designated area was characterised by vacant, derelict, inaccessible or under-utilised land contributing little to the economic and social life of the city alongside a river whose tidal range resulted in unsightly mudflats.

20. In order for the river to realise its potential, Laganside identified a programme of works, commencing with three major infrastructure schemes centred around the river: The Lagan Weir, the Riverside Pathways and the cross-harbour road and rail links. The Lagan Weir became fully operational in 1993 and the cross-harbour road and rail link also opened in 1993.

21. The River Lagan is becoming a significant natural asset for the city following provision of the weir, dredging and aeration, ongoing river management, the creation of riverside pathways, protection of wildlife and provision of access and facilities for recreational activity.

22. Today the waterfront is being transformed, becoming a focus for activity, an attractive place to live and work and a destination place for leisure and recreational activity.

DATA COLLECTION & CONSULTATION

23. In order to assess whether there is or likely to be an impact on any Section 75 group(s) by the policy, the following actions were undertaken:

- The Laganside Corporation Awareness and Attitude Survey (2001) was checked for relevant information.

- An internal review of how the river is used and by whom:
 - access/infrastructure
 - recreational, leisure and ongoing activities/commercial use
 - residents
 - events
 - information/education programmes
 - H&S and bye-laws
 - River management

- The Corporation considered whether any equality measures were available.

24. It was important that Laganside Corporation, through formal consultation, was aware of the views that consulted groups may have regarding the EQUALITY IMPACT issues specific to this policy.

25. An equality impact assessment consultation document was prepared and sent to the organisations in Appendix 3. This list is not exhaustive and others could request a copy.

26. The availability of the consultation document was advertised in three Belfast daily newspapers – The Belfast Telegraph, The Irish News and The Newsletter. In addition, Laganside's newssheet 'Laganlines' advertised the availability of the consultation document and the consultation period. The consultation document was also available on the website www.laganside.com. The availability of the EQIA consultation document was also raised at the Lagan River Forum.

27. Laganside Corporation commits to ensuring that its consultations are timely, open and inclusive. The consultation period lasted from 16th October to 13th December 2002.

28. In order to eliminate barriers to consultation Laganside Corporation put in place arrangements which enabled relevant information to be available in Braille, audiocassette and minority languages for those who have difficulty understanding English.

29. By the end of the consultation period, the Corporation had received two written responses to the consultation document. The consultee received another written comment almost one month after the consultation ended. The comments contained in all the responses received are set out in Appendix 4.

KEY FINDINGS

30. The Laganside Corporation Awareness and Attitude survey (2001) indicated that:

- residents/business rate the performance of Laganside on delivering 'developing uses of the river' as 91%/91% important, 69%/65% satisfied respectively
- residents/business rate the performance of Laganside on delivering 'quality of the river Lagan' as 90%/89% important, 69%/61% satisfied respectively.

31. The river is used in a number of ways by different individuals and groups etc,

- access/infrastructure - this would include: the Pathways which run alongside stretches of the river; the Lagan Weir footbridge; other pedestrian, car and train crossings; the development of the Quays; pontoons providing access to the river. The Corporation has performed an Equality Impact Assessment on its Physical Infrastructure policy and the report is available.
- recreational, leisure and ongoing activities / commercial use – this would include: Lagan Watersports, boat-clubs and individual boating, fishing, walking, jogging, cycling, Riverbus boat-trips, bird-watching, nature studies and other recreational activities. These activities are enjoyed by individuals and organisations alike at all times throughout the year. The Corporation does not collect equality information from individuals or organisations using the river.
- residents – under this category would be: residents in private or social housing; businesses and their employees. There are over 500 homes and in the region of 10,000 employees employed in within the Laganside designated area. The Corporation does not collect equality information from households or local businesses in the designated area.
- events – there are a number of events which take place in and around the river e.g., Jet-ski competitions, River festival, zip-slide. The Corporation has

performed an Equality impact Assessment on its Events policy and the report is available.

- information/education programmes – there are a number of programmes available such as Water safety talks and the Lagan Lookout Visitor Centre. The Corporation is currently reviewing the information provided at the Lagan Lookout.
- Health & Safety legislation and bye-laws –the statutory regulations which must be obeyed.
- river management – this would cover the Lagan Weir operation which affects water levels; monitoring, maintenance and improvement of water quality; monitoring and maintenance of drainage characteristics and navigation.

32. Use of the river is governed by Health & Safety legislation and bye-laws which must be obeyed. Permission to use the river for events must be sought from the River Manager at least eight weeks before the event is due to take place. The criteria used by the River Manager to determine whether events using the river can be approved are based solely on health and safety and bye-laws requirements.

33. Laganside is not a service provider per se and does not collect Section 75 equality information from river users.

CONCLUSIONS

34. From the actions set out in paragraph 23, the following have thus far been concluded:
35. The Laganside Awareness and Attitude survey is a measure of public and business awareness of and attitudes towards the area and infrastructure within its remit. The results for the survey do not appear to indicate that the *River Use* policy causes or is likely to cause a differential impact upon any Section 75 group(s).
36. The screening process indicated that under criteria a., b. and c., there may be a likely impact regarding access to river craft by disabled people (re: mobility). It is reasonable to suggest that in addition to people with mobility disabilities, other Section 75 categories such as age and those with dependents could also experience a similar likely impact regarding access to river craft.
37. The Corporation has put in place measures to address this impact by introducing improved access to the river, e.g., by means of a ramped approach at the Lagan Lookout , slipways at Ravenhill and Maysfield and placing a number of easily accessible pontoons at various locations along the river. A map setting out the various landing positions etc along the river is attached as Appendix B.
38. Whilst the corporation is responsible for access to the river, it is not responsible for access onto and off private craft, or other equipment, which may make use of the river. A private company operates the Riverbus referred to in the screening process.
39. The River Use policy sets out that securing the regeneration of the river corridor involves taking advantage of the natural asset of the river to encourage a range of recreational, leisure and commercial activities, which will attract people and thus investment to the area.

40. On the basis of the evidence and comments gathered, the Corporation considers that the policy does not appear to cause, nor is it likely to cause, an adverse differential impact upon any group(s), therefore the policy stands. Indeed, a key performance indicator of the success of the River Use policy can be seen in the number of people and range of activities which now take place in and around the river Lagan throughout the year.

- CONSIDERATION TO BETTER PROMOTE EQUALITY OF OPPORTUNITY

41. As set out previously the Object of the Corporation is to secure the regeneration of the designated area. In terms of the River Use policy that entails securing the regeneration of the river corridor which involves taking advantage of the natural asset of the river to encourage a range of recreational, leisure and commercial activities, which will attract people and thus investment to the area.

42. Laganside is committed to fulfilling its duties under Section 75 of the Northern Ireland Act and seeks to ensure that the designated area is a 'neutral' area where all groups will feel comfortable. The 'neutrality' of Laganside's designated area promotes good relations.

43. The Corporation would also aspire to make its designated area accessible within the legislative framework to which it works and compliance with standards/guidance from appropriate organisations.

44. As can be seen from the variety of activities which take place on the river, the River Lagan is a vibrant and natural asset which attracts people and businesses to the Laganside area.

45. In terms of monitoring the policy Laganside Corporation will:

- Monitor equality of opportunity complaints resulting from the implementation of this policy.

46. Laganside Corporation will publish monitoring results as set out in the Equality Scheme.

47. If the monitoring and evaluation show that the policy results in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity to be promoted, Laganside Corporation will ensure that the policy is revised.
48. Should any new evidence/data become available, Laganside Corporation will take it into consideration.
49. Laganside Corporation has put in place arrangements which will enable a copy of the EQIA report to be available in Braille, large print, and audiocassette and minority languages for those who are not fluent in English. These formats will be produced on request within a reasonable timescale.
50. To obtain a copy in any of these formats please contact:
Concepta McGibbon – Equality Officer
Laganside Corporation
Clarendon Building
15 Clarendon Road
Belfast. BT1 3BG
Tel: 028 9032 8507
Fax: 028 9033 2141
Text phone (Minicom): 028 9024 8609
Email: concepta@laganside.com
39. This EQIA report is also be available on our internet site at <http://www.laganside.com>

APPENDIX 4

Consultation Comments

Introduction

This document sets out the comments received during, and after, the formal consultation period for the Equality Impact Assessment (EQIA) of Laganside Corporation's '*Promotion of the Use of the River Lagan*' policy and Laganside's response to the comments.

The consultation period commenced 16th October and terminated 13th December 2002. During this period two written replies were received. Another written reply was received nearly one month after the closing date.

The purpose and context of the consultation was the equality impact assessment on Laganside's '*Promotion of the Use of the River Lagan*' policy.

Assessing the comments

A group including senior staff of the Corporation carefully considered the comments contained in all the written replies.

The comments made in the replies together with Laganside's response (in italics) are set out below.

Comments

One consultee thanked the Corporation for sight of the consultation document and commented that the document appears to be comprehensive and covers the Section 75 obligations. *The Corporation thanks the consultee for the remarks made.*

Another consultee pointed out that the Corporation has an obligation to consider for equality impact assessment those policies which have a significant impact on equality of opportunity and is not required to screen in policies which have an impact on equality of opportunity. The consultee was concerned that too many policies would be screened in and the focus of impact assessments would not be on key policies which have a significant impact on equality of opportunity. *The Corporation set out the screening process, including the outcomes, in the Equality Scheme submitted to the Equality Commission for approval. The Equality Commission approved the Corporation's Equality Scheme in August 2001. The Corporation followed the Equality Commission's guidance on the screening process available at the time*

and has performed equality impact assessments on its policies to the timetable set out in the approved Equality Scheme.

The consultee commented favourably on the way the document outlines clearly the procedure for conducting equality impact assessments. However, the consultee notes that the Corporation incorrectly stated the duties by using the word 'or' rather than 'and' between 'marital status' and 'sexual orientation', and 'political opinion' and 'racial group' in paragraphs 5 and 6 of the consultation document respectively. *The Corporation stated the duties using the exact words in the S75 legislation and Equality Commission's publications 'Guide to the statutory duties' and Practical Guidance on Equality Impact Assessment' which are:*

Section 75 of the Northern Ireland Act (the Act) requires the Corporation in carrying out its functions to have due regard to the need to promote equality of opportunity:

- (a) Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation.*
- (b) Between men and women generally.*
- (c) Between persons with a disability and persons without.*
- (d) Between persons with dependents and persons without.*

In addition and without prejudice to its obligation above the Corporation shall, in carrying out its functions, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The consultee posed a number of questions and made a number of recommendations around the consultation undertaken by the Corporation. The consultee commented that the consultation process engaged by the Corporation did not appear to be compliant with the requirements of the Section 75 guidelines. The consultee strongly recommended that the Corporation adopt a more strategic consultation process. *In addition to the 49 consultees, including representatives from across the Section 75 groups, which the Corporation consulted regarding equality impacts of the River Use policy on Section 75 groups, the Corporation also sent a copy of the consultation document to members of the Lagan River Forum and raised the consultation at a Forum meeting. The Corporation believes that it has complied with the requirements of the Section 75 guidelines regarding consultation and has endeavoured to ensure that it undertakes consultation that is timely, open and inclusive. The Corporation has been asked by the Equality Commission to take part in the 'Critical Analysis of Completed Equality Impact Assessment' project currently being undertaken by the Commission. This project involves an analysis of a number of completed EQIAs to examine the extent to which they satisfy both the letter and spirit of the law throughout all stages of the impact assessment process. Initial feedback from the Equality Commission on the approach taken by the Corporation has been positive.*

The consultee was unsure what the Corporation meant by the wording in paragraph 41 of the consultation document regarding the availability of information in alternative formats. *The Corporation has committed, in its approved Equality Scheme, to make assessments available in printed form and on request in alternative formats such as Braille, large print, audiocassette and minority languages to meet the needs of those who are not fluent in English through a request to the Equality Officer.*

Another consultee welcomed the opportunity to respond and contribute to this equality impact assessment. There followed a synopsis of the role and remit of the consultee's organisation. *Noted.*

The consultee was glad that the Corporation had identified that people with mobility problems may experience difficulty in using the River Lagan but commented that the Corporation should also take note of the needs of people with other disabilities who may encounter barriers to access in the use of the river. Furthermore, the consultee felt that the Corporation should encourage all those using the river to ensure equal access for all, both in terms of facilities and activities. The consultee encouraged the Corporation to consult with organisations such as the consultee's in relation to design of access and infrastructure to ensure equal access for all. *The Corporation thanks the consultee for the response and encourages discussion by and advice around the issues raised from the consultee's representative on the Lagan River Forum. The Corporation has previously sought advice on access and infrastructure from the consultee and will continue to do so where appropriate.*

Appendix 3

Consultation List

Age Concern
Alliance Party
Anglican Church
Arts Council of Northern Ireland
Baha'i Office for Northern Ireland
Belfast City Council
Belfast Harbour Commissioners
Belfast Hebrew Congregation
Belfast Islamic Centre
Belfast L.G.B.T Pride Committee
Carers National Association
Catholic Church
Chinese Welfare Association
Community Relations Council
CoSO – Coalition on Sexual Orientation
Democratic Unionist Party
Department for Social Development
Disability Action
Downtown Women's Group
East Belfast Partnership Board
Equality Commission for Northern Ireland
Equality Coalition
Greater Shankill Partnership Board
Help the Aged
Indian Community Centre
Mencap
Methodist Church in Ireland
Multi Cultural Resource Centre
NICEM – NI Council for Ethnic Minorities
NIC-ICTU – Northern Ireland Committee, Irish Congress of Trade Unions
NICVA
NIVT
North Belfast Partnership Board
Northern Ireland Hindu Cultural Centre
Northern Ireland Public Service Alliance
Northern Ireland Youth Forum
NUS/USI Northern Ireland Student Centre
Parents Advice Centre NI
Presbyterian Church
RNIB
RNID
SDLP
Sinn Fein
South Belfast Partnership Board
Ulster Unionist Party
UNISON

West Belfast Partnership Board
Youth Council for Northern Ireland
Lagan River Forum:
Ms B Ewing – Belfast Boat Club
Mr K Pettigrew – Disability Action
Mr S Patterson – Sustrans
Mr P Shepard Watson – Belfast City Council
Mr D Booker – Lagan Boat Company
Mr T Dean – Lagan Watersports (Rowing)
Ms G McMurray – BRO South & East Team
Mr D M Flinn – Civic Trust
Mr G Reid – Lagan Users Committee
Ms L Quinn – Lagan Watersports Centre
Mr W Boyd – Lagan Village Residents Association
Miss M P Mackintosh – Civic Trust
Mr H Parr – Translink
Mr S Wilson – Sports Council for NI
Mr C Martin – Fishing Representative
Mr D Hughes – Ulster Wildlife Trust
Ms A Doherty – East Belfast Partnership Board
Insp. I Blayney – PSNI
Mr M Goodman – LORAG
Sgt. H McKinley – PSNI
Ms Roselyn Todd – Environment and Heritage Service

