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# Equality Impact Assessment

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Sunday Parking Charges: Report to  
Woking Borough Council  
February 2012

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## **Acknowledgements**

We would like to thank everyone who took part in the consultation. The views expressed in this report are entirely those of Skyers-Poorman Research and Consulting and in no way represent the views of Woking Borough Council or the Equality and Human Rights Commission.

# Executive Summary

## Introduction

Woking Borough Council commissioned Skyers-Poorman Research and Consulting, to undertake an independent Equality Impact Assessment (EqIA) on its current Sunday car parking practice. An EqIA is a systematic and comprehensive assessment of a policy or practice from an equality perspective and in this context, the purpose of this EqIA is to assess the positive, negative or differential impacts in relation to the following:

- The impact of free Sunday parking on churchgoers
- The cost of free Sunday parking to the Council
- The impact of free Sunday parking on the wider community

## Approach to the EqIA

The EqIA has been organised around an approach involving screening WBC's practice in relation to car parking charges; desk research and documentary reviews of relevant background information from the inception of the policy in 2003 to the present; an analysis of demographic data, and in depth interviews and focus groups comprising 163 stakeholders. The participants in the interviews and focus groups included: WBC officers and elected members; representatives of the faith community in Woking; representatives of the non-faith community; a representative of the National Secular Society; the Woking Disability Access Group; the Woking Residents Panel; representatives of the business community in Woking; the Equality and Human Rights Commission (EHRC), and written responses.

## Key Conclusions

The Sunday parking practice of allowing churchgoers to park for free was a reactive one that was introduced as a result of representations to WBC from churches in the Town Centre. The practice of free parking has benefits for some churchgoers, from disadvantaged groups such as black and minority ethnic (BME) residents, women, carers, and older churchgoers who are more likely to be on a limited income, and for whom public transport is not accessible. It also has positive benefits for higher income churchgoers who derive the benefits of free parking. Working residents who are disabled blue badge holders do not appear to uniformly derive positive benefits from the scheme due to the multi-storey car parks being perceived as inaccessible to some disabled people. There is also a three hour time restriction that has been imposed by Surrey County Council (SCC) on the on street disabled parking bays which are the responsibility of SCC and therefore fall outside the scope of the free Sunday parking scheme for churchgoers which is administered by WBC. There are other residents of faith groups, such as the Muslim community who are disadvantaged by the practice which does not currently recognise days of religious observance other than a Sunday. In addition, disadvantaged residents of the non-faith community who are on low incomes are potentially adversely impacted by the practice.

The church in Woking is seen as fulfilling an important community and social integration function. The discourse on parking charges it is argued also needs to be expanded to take account of diverse

lifestyles and secular activities that also enhance social integration. Along with church activities, those activities are also seen as contributing to the dynamism of the Town Centre, to its social milieu, and to its cohesion.

### **Recommendations**

The EqIA has found that the current practice of allowing worshippers to park free on Sunday's was implemented as a reactive practice, and did not consider the needs of the wider community. The practice does not impact positively on all churchgoers as it has a negative impact on disabled Woking residents within the faith community who are excluded from its benefits, and on the wider community of residents, including disabled people who are also excluded from its benefits.

It is recommended that:

1. WBC addresses the current arrangements in relation to disabled people and Sunday parking as a matter of urgency by taking up the issue in relation to the on-street parking bays as a matter of urgency.
2. That WBC continue with the practice of allowing worshippers to park free if the Council is able to determine that it is a 'proportionate' means of achieving a legitimate aim' and having had proper regard to all of the issues raised in this EqIA.

Or

3. WBC rescind Sunday car parking charges for all visitors to the Town Centre between the hours of 7.00am and 1.00pm.

Or

4. WBC rescind Sunday parking charges for all visitors to Woking town centre on Sundays.

It is recommended that:

5. WBC make the EqIA available to all who took part in the consultation underpinning it and that it is also placed on the Council's website.

# 1. Introduction

## Context and Background

1.1 Woking Borough Council (WBC) has a statutory responsibility under the Equality Act, 2010, to consider the impact of its decisions in relation to age, disability, sex, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, and sexual orientation. In addition, WBC also has a statutory duty to foster good relations between different groups of people, coupled with a responsibility to promote equality of opportunity. WBC has introduced a policy of allowing worshippers at Coign Church, Christ Church, Trinity Methodist Church, and Woking United Reform Church to park free of charge on Sunday mornings in Victoria Way and Brewery Road public car parks. At the same time, concessionary Sunday charging arrangements apply, capped at £3.00 in respect of other users of Woking town centre car parks on a Sunday. The practice of allowing worshippers attending the Town Centre churches to park free on a Sunday has been subject to a challenge under the terms of the Equality Act 2010 and WBC has commissioned Skyers-Poorman Research and Consulting, to undertake an independent Equality Impact Assessment (EqIA) on its current Sunday car parking practice.

1.2 An EqIA is a systematic and comprehensive assessment of a policy or practice from an equality perspective and in this context, the purpose of this EqIA is to assess the positive, negative or differential impacts of the following:

- The impact of free Sunday parking on churchgoers
- The cost of free Sunday parking to the Council
- The impact of free Sunday parking on the wider community

## Organisation of the EqIA

1.3 The EqIA is organised as follows: the following Section 2 sets the context for equality in Woking and provides a demographic profile of the borough. It sets the legislative landscape for equality, and how it relates to Sunday car parking charges. Section 3 explains WBC's current practice in relation to Sunday parking charges, and Section 4 sets out the approach adopted in conducting the EqIA. Section 5 presents the findings of the EqIA in relation to the specific issues set out above and Section 6, the final section concludes the EqIA and sets out a series of recommendations. The final section also points the reader to a separate Action Plan which accompanies this report. The Action Plan summarises the potential for positive, negative, and differential impacts identified during an analysis of the Sunday charging practice and relates to the recommendations.

# 2. The context for equality

## A demographic profile of Woking

2.1 Woking has an estimated residential population of approximately 93,500 according to mid 2010 estimates, of which, 51.2% are male and 48.8% are female. There are also 39,941 households in Woking 28.3% of which are one person households and 30.6% of which have dependent children.

Of the resident population, 54% of residents are married, and 28% have never married. The demographics of sexual orientation, gender reassignment, and same sex couple households are difficult to establish as there are currently no reliable data. The campaigning organisation for Lesbian, Gay and Bisexual (LGB) people, Stonewall, has promoted the figure of 5-7% of a community as being LGB. In Woking this would represent 4,675 residents based on a 5% figure and 6,545 based on a 7% figure.<sup>1</sup> The ONS Integrated Household Survey for April 2010 to March 2011 calculates the LGB figure as 1.5% of the population.<sup>2</sup> The Gender Trust and the organisation Press for Change have produced statistical estimates of 25 per 100,000 of the population based on research into the numbers of people who have undergone gender reassignment procedures and in terms of that estimate, 23 Woking residents would be transgender.<sup>3</sup>

2.2 The largest ethnic group is the White population comprising 91.3%, and this is followed by the Asian or Asian British population which comprises 5.8%. The Black or Black British population and the Chinese population have identical proportions of 0.5%, and the Other Ethnic Group comprises 0.6%. The population of Woking is also young in terms of its age structure with 19.2% of the population being under 14 years of age, 66.1% being aged between 15-64, and 14.7% being aged 65 or over. The proportion of the population that reported having a moderate disability is 4.8% and this is most pronounced in the 55-64 age range and the 45-54 age range where the proportions are 14.6% and 9.8% respectively. A total of 13% of Woking residents reported having a long term limiting illness, the most pronounced being in the 85+, 75-84 and 65-74 age groups where the proportions are 58%, 49.7% and 30.4% respectively. The proportion of Woking residents claiming Job Seekers Allowance was 1.9% in 2011 and this is below the proportion for the South East of 2.5% and the national claimant rate of 3.6%, but above the Surrey average of 1.7%. Whilst the demographics at ward level in general mirror the averages for Woking as a district, there are some striking variations. The distribution of the BME population for example is by no means uniform in Woking. The ward with the highest proportion of BME groups is the Maybury and Sheerwater ward where the proportion is 34% and this is followed by the ward of Goldsworth East where the proportion is 11.6%. The ward with the highest economic activity rate is Goldsworth West where the proportion is 82% whilst the Pyrford ward has the lowest number of people who are economically active at 65.2%.

2.3 In terms of faith and non faith groups, 71.3% of residents describe themselves as Christian forming the largest religious group. The group with the highest proportion after Christianity is those of no religion, 15.1%, followed by those who did not state their religion 6.8%, and Muslim, 5.1%. The table below provides a breakdown of religious groups in Woking.<sup>4</sup>

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<sup>1</sup> [www.stonewall.org.uk](http://www.stonewall.org.uk)

<sup>2</sup> Integrated Household Survey, April 2010 – March 2011: Experimental Statistics [www.ons.gov.uk](http://www.ons.gov.uk)

<sup>3</sup> [www.pfc.org.uk](http://www.pfc.org.uk) and [www.gendertrust.org.uk](http://www.gendertrust.org.uk)

<sup>4</sup> POPPI and PANSI data, Woking Borough Council, 2010

Religious or Non-Religious Groups	%
Christianity	71.3
No Religion	15.1
Religion not stated	6.8
Muslim	5.1
Hindu	0.7
Jewish	0.3
Buddhist	0.3
Other religions	0.3

### The legislative landscape for equality

2.4 The legislative landscape for equalities has been continually shifting since the 1960s with several additions and amendments being made to anti-discrimination law. At the time WBC introduced its parking practice, there were separate pieces of anti-discrimination legislation in relation to race, disability, gender, sexual orientation, religion and belief and age. The Equality Act 2010 replaced the principal separate pieces of legislation by consolidating and harmonising the law. It replaced the former positive public sector duties in relation to race, disability and gender, with a single general public sector equality duty which came into force in April, 2011. The legislative changes are anchored in a paradigm shift in which the focus for equality has moved from individual acts of restitution, to the delivery of equality and the tackling of inequality in a proactive and pre-emptive way, embracing entire organisational systems, cultures, practices and procedures. The public sector equality duty is underpinned by specific equality duties designed to assist public authorities in meeting the general duty. The duty applies to those who are referred to in the Act as sharing a *protected characteristic*, specifically in relation to age, disability, sex, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, and sexual orientation. The general equality duty places a legal requirement on public authorities such as WBC in the exercise of their functions to, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2.7 The issue in relation to equality and Sunday parking is by no means straightforward and the advice of Counsel was therefore sought by WBC. The legal opinion given was that whilst the practice in relation to free parking for churchgoers could be said to be *indirectly discriminatory* under the terms of the Equality Act 2010 as it is not accessible to non-Sunday churchgoers, it could be justified if it is a *'proportionate means of achieving a legitimate aim'*. In this case, the legitimate aim



identified by Counsel, instructed by WBC is to prevent churchgoers from being disadvantaged by a characteristic connected to the Christian religion resulting from WBC's Sunday parking charges. At the same time, Counsel advised that in order to meet the justification requirements laid down in the Equality Act 2010 a full EqIA should be carried out to measure the impact of the practice of free parking for Sunday worshippers, the cost to WBC, the effect it has on churchgoers, and the effect it has on the wider community.

### **3. WBC Sunday parking charges practice**

#### **Introduction of free Sunday parking for churchgoers**

3.1 The policy of WBC is to review its discretionary fees and charges at least once each year to maximise its income and its annual review of its discretionary fees provides detailed information on this. As part of WBC's review of parking charges, Sunday parking charges were introduced in the Town Centre in 2003 and in 2008 as part of a two-staged process. The current practice is that Sunday charges apply to anyone visiting the Town Centre car parks on a Sunday and they are applied on a 24 hour basis. The charge is £1.10 for the first hour, a further £1.10 for the second hour and a maximum charge of £3.00 for the next hour and for the remainder of Sunday. WBC received formal representations from churches located in the Town Centre stating that their worshippers would be adversely affected by the practice. WBC also received objections from local shops and retailers about the potential negative impact on trade in the Town Centre and on shoppers in relation to an increase in parking charges across the board, not specifically in relation to Sunday Parking.

3.2 When the practice of levying Sunday parking charges was introduced, representation was made by the churches in the Town Centre to the Council. WBC then implemented a responsive practice, putting in place free Sunday parking arrangements for worshippers at Christ Church, Coign Church, Trinity Methodist Church and Woking United Reform Church. The terms of this arrangement are that Christ Church, Coign Church, and Trinity Methodist Church have been given ticket validating machines by WBC allowing their members to validate their parking tickets in the pay on foot exit car parks in Victoria Way, and Brewery Road. In the case of Woking United Reform Church, which uses the Heathside Crescent car park, worshippers have been provided with parking permits as that car park does not operate a pay on foot exit system. Objections to the practice of allowing churchgoers to park free have been received by WBC from a member of the public who has stated that the practice is discriminatory in being inaccessible to non-churchgoers and people of no religious belief. The issue has also been discussed on the National Secular Society website. As already stated above, WBC, having sought the advice of Counsel has been advised that the practice is indirectly discriminatory and has been advised to carry out a full EqIA.

### **4. Approach to the EqIA**

4.1 As a public body with a statutory responsibility to ensure equitable access to its services, WBC considers the impact of its policies and strategies from an equality perspective. The purpose is to identify whether there is potential for a positive, negative or differential impact on Woking residents, and where necessary, to take measures to mitigate any potential negative impact, as well as to enhance positive impacts. The EqIA has been organised around the following approach:

- Screening WBC’s practice in relation to car parking charges.
- Desk research and documentary reviews of relevant background information from the inception of the practice in 2003 to the present.
- An analysis of demographic data including data on faith and religious groups, non-faith groups, race and ethnicity, gender breakdown, age, and other demographic data.
- In depth interviews and focus groups conducted with 163 stakeholders including: WBC officers and elected members; representatives of the faith community in Woking; representatives of the non-faith community in Woking; a representative of the National Secular Society; the Woking Disability Access Group; the Woking Residents Panel; representatives of the business community in Woking, and the Equality and Human Rights Commission (EHRC). A list of stakeholders is given in the Appendix.
- Production of a short article in the National Secular Society newsletter soliciting the views of its wider membership.
- Written responses from 4 members of the Woking Residents Panel who were unable to participate in an interview or a focus group.

4.2 The table that follows sets out the EqlA consultation respondents:

<b>Fieldwork Responses</b>			
<b>One-to-One Interviews</b>	<b>Group Interviews and Participants</b>		<b>Written Responses</b>
25	Coign Church	14	4
	Christ Church	9	
	Woking United Reform	6	
	Trinity Methodist	38	
	Portugal Road Mosque	4	
	Oriental Road Mosque	53	
	Woking Residents Panel	10	
<b>Total 163</b>			

#### **EqlA assessment framework**

4.3 To assess the impact of free parking on churchgoers, the cost to WBC, and the impact that it has on the wider community, the EqlA has focused its analysis on a set of questions structured around the following EqlA framework employed by a range of public bodies for which Skyers-Poorman Research and Consulting has conducted EqlA’s. The questions that have guided the EqlA are set out in the following table:

## EqIA Assessment Framework

- What are the current Sunday car parking arrangements and how do they operate?
- What are the resource implications for WBC?
- What is the existing situation in relation to protected groups as it applies to this practice?
- How do the stated aims and objectives of the practice relate to Town Centre churches?
- How does the practice of free Sunday parking for churchgoers promote equality?
- What are the groups on which the practice has a positive impact and in what way(s)?
- Are there any groups that are disadvantaged by the practice and in what way(s)?
- Can the disadvantage be mitigated? If so, in what way(s)?
- Are there any groups that are unintended beneficiaries of the practice?
- Will the practice promote a culture of equality, fairness and respect?
- Are there any issues raised by faith groups and non-faith groups about the practice?
- How does the practice apply to other days of religious observance?
- How will the results of the EqIA be publicised and monitored?

4.4 The analysis of the results of the EqIA consultation has been structured around a version of framework analysis where relevant themes and sub-themes that relate to the *positive*, *negative*, and or *differential* impact of the free Sunday parking practice, and the potential for mitigation have been identified. Arising from the analysis are a set of recommendations and a separate Action Plan.

## 5. EqIA of the Council's parking charge practice

5.1 This section presents the equality issues in relation to the practice of Sunday parking and in relation to the specific issues set out above which are to examine:

- The impact of free Sunday parking on churchgoers
- The cost of free Sunday parking to the Council
- The impact of free Sunday parking on the wider community

### The impact of free Sunday parking on churchgoers

5.2 The rescinding of Sunday car parking charges for churchgoers has had a positive impact on many worshippers living in Woking and on those who attend churches in Woking from outside the borough. In terms of the worshippers that benefit, data delineated along the lines of the equality groups are limited and much of it is impressionistic, anecdotal, observational, and provided by church leaders and members of the faith community. There are in the region of twenty different nationalities and ethnic groups represented in the churches, a cross section of younger and older worshippers, and worshippers with a range of disabilities and access needs. Roughly an equal proportion of worshippers in Town Centre churches are men and women and this reflects the gender profile of the borough. Whilst Woking is a relatively affluent borough with a significantly lower unemployment rate compared to the national average, and has a high proportion of its population in managerial and associate professional and technical occupations, that is 20.6% and 15.2% respectively, women whom as we have seen, comprise a little more than half of the borough's population (51.2%), mirroring the national picture, will tend, disproportionately, to be in less well

paid employment and to have lower incomes.<sup>5</sup> A key explanation for this is horizontal and vertical occupational segregation, as well as a range of other barriers to labour market entry and progression.<sup>6</sup> Moreover, in terms of young people, as well as people already suffering the effects of disadvantage in the labour market such as BME communities and disabled people, the recession has exacerbated a legacy of high unemployment, low pay and insecure employment, and low incomes and these groups, across all areas of the UK, including areas within Woking, are feeling the pronounced impact of this. As an illustration of disparity, the level of employment for the Maybury and Sheerwater ward at the time of the 2001 census was 61.7% compared with 68.8% for the borough as a whole. This ward also had a higher proportion of BME residents, a higher proportion of lone parent households with dependent children, and a higher proportion of residents who were permanently sick and disabled compared with the borough as a whole.

5.3 Churchgoers in Woking as a religious group under current equality legislation, share a protected characteristic and experience the advantages of free parking on a Sunday. At the same time, some worshippers who share the protected characteristic based on religion, also have other protected characteristics such as on grounds of age, race, disability, sex, pregnancy and maternity and so forth, and also experience the advantages of free Sunday parking. The current arrangement enables churchgoers to worship without the burden of a financial cost, and this is congruent with Sunday traditionally being seen as a day of religious observance, prior to a relaxation of Sunday trading laws. Whilst some churchgoers benefit from the practice of free Sunday parking, it is the more disadvantaged communities within church congregations for whom the financial benefits of free parking does make a tangible material difference. This includes for example, women, BME residents, young people, older people of pensionable age, carers, and other groups on lower incomes. In addition, older people and those with caring responsibilities for example, find it difficult to use the transport network which has an extremely limited Sunday operation in Woking. As women tend to be the main carers of children, and people aged 50+ are more likely to be in a caring role, free parking is particularly important as the logistics of travel to and from church and the additional problem of navigating an infrequent Sunday bus service are major barriers.<sup>7</sup>

5.4 Among Woking residents who are also on low incomes, a Sunday parking charge of £3.00 per week can represent a significant portion of their individual or household income. Whilst the vast majority of worshippers stated during the EqIA consultation that a reintroduction of charges would not prevent them from attending the Sunday church service, the already more disadvantaged communities would have considerable difficulty meeting the cost. The negative impact of this would be exacerbated in the present economic climate and the challenges that it presents. As the Sunday service is the engine of growth for the church which fuels its membership, the introduction of

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<sup>5</sup> Shaping a Fairer Future: A review of the recommendations of the Women and Work Commission three years on, July 2009

<sup>6</sup> Horizontal and vertical occupational segregation concerns the tendency of men and women to be employed in different occupations in the entire spectrum of occupations under analysis, and the tendency of men to be employed at higher levels with higher salaries, and women to be employed in lower paid occupations.

<sup>7</sup> Surrey Joint Strategic Needs Assessment, 14/06/2011

charges for the more disadvantaged groups could potentially inhibit church membership among those groups and could potentially curtail new membership from disadvantaged groups.

5.5 As well as churchgoers who worship on a Sunday, all of the churches rely on members who provide voluntary services, and who come into the Town Centre at 7.00am on Sunday mornings. This is to deal directly with setting up arrangements for church services, the planning and setting up of activities, and the running of crèche services and activities to keep younger members of the church congregation occupied whilst their parents attend the church meeting. These voluntary services go on in tandem with the 9.00am and 11.00am services and they are critically important for children and for families. They enable parents to have some respite from childcare and to worship. Thus, if volunteers who are giving up their time to provide services for the church community have to pay Sunday parking charges, those volunteers who are on limited incomes may choose not to, or indeed, may not be able to continue providing those services. This could also have an adverse impact on the ability of families with small children, particularly lone parents to attend the church service. The introduction of charges would also run counter to the notion of the *BIG Society*, and could result in the decline of important community focused activities that have a wider social and economic value to Woking residents.

5.6 Whilst the free Sunday parking practice provides many positive benefits to the church community, it is by no means perceived uniformly as providing positive benefits for all members of the church who are disabled and who have a range of other physical access needs. The responsibility for highways rests with Surrey County Council (SCC) and SCC has placed a three hour time restriction to on street parking for disabled blue badge holders, a decision that was taken in consultation with WBC. Thus, disabled worshippers who attend church in Woking Town Centre, on a Sunday, are restricted to a three hour stay when using on street disabled parking bays whilst non-disabled visitors to the Town Centre who pay to park in the multi-storey car parks, or worshippers who are able to have their tickets validated at one of the pay on foot exit car parks, have no such time restrictions placed on them. Furthermore, disabled worshippers who hold a Proximity Card, enabling them to park free of charge in one of the Town Centre car parks are not able to use them in every case for a number of reasons. This is because on street disabled parking which is strategically close to local facilities is far more accessible for some disabled people and accessibility is a critical factor when a disabled visitor comes into the Town Centre, particularly if they are unaccompanied. Accessibility does not however relate solely to the location of disabled on street parking, but also to the area around the on street parking disabled bays which is large enough to ensure manoeuvrability, in contrast with the area around the majority of the standard bays in the multi-story car parks. The Town Centre car parks, being multi-story can also be intimidating for some disabled users who are vulnerable, and who are concerned about lifts breaking down.<sup>8</sup> These issues are compounded by limited Sunday public transport as within the last 12 months, a number of Woking bus services have been cut, whilst other routes do not operate on a Sunday. Indeed, in the case of Woking United Reform Church, there is only one bus that passes the church on any day,

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<sup>8</sup> Surrey Joint Strategic Needs Assessment, 14/06/2011 refers to disabled people being more likely to be victims of hate crime. See also Hidden in Plain Sight – inquiry into disability-related harassment, EHRC

added to which, there is no Community Transport for Woking Residents on a Sunday. There are therefore a number of barriers that do cause difficulty for some disabled users to travel from the outer parts of Woking to the Town Centre churches to worship even within the terms of the current Sunday parking practice and it is critical that these issues are taken up with WCC by WBC.

**The cost of free Sunday parking to the Council**

5.7 WBC operates a pay on foot system in the majority of its car parks. At each of the following locations, Christ Church in the Town Square, Trinity Methodist which is on Brewery Road, and the Coign Church there are validating machines so that people attending Sunday church services on Sunday mornings can run their tickets through them and exit the car park free of charge. Woking United Reform Church uses the Heathside Crescent car park and as there is no pay on foot system at that car park, 150 parking permits have been issued which Church members display on their windscreens.<sup>9</sup>

5.8 As part of the process of conducting the EqIA, the cost of the current free Sunday Parking Scheme implemented in 2008 has been examined. The total financial value per week of the current scheme is estimated at £780 per week, £40,560 per annum and £121,680 for three full years’ operation. In the case of the Woking United Reform Church, it should be made clear that the cost represents the cost if all permits are used. This is broken down as follows:

<b>Estimated Cost of Free Parking Scheme Three Full Years Operation</b>			
<b>Church</b>	<b>Parkers</b>	<b>Value £</b>	<b>Rate £1.00</b>
Coign Church	120	300	
Christ Church	50	115	
Trinity Church	25	65	
Woking United Reform <sup>10</sup>	150	300	
<b>Total</b>	<b>345</b>	<b>780 per week</b>	<b>40,560 per annum</b>
<b>Total estimated cost from three years operation £121,680</b>			

<sup>9</sup> At the time of writing, the Council has a pending request for an additional 50 parking permits for Woking United Reform Church

<sup>10</sup> Charges were introduced in April 2010 in Heathside Crescent car park used by members of the United Reform Church. The church was therefore affected by the Sunday car park charging practice and 150 permits were granted for worshippers.

5.9 Prior to 2003 and the operation of the current practice, Sunday car parking charges applied in Wolsey Place, Toys R Us, Peacocks, Victoria Way and the Brewery Road car parks between 1pm and 5pm. This practice did not cause any inconvenience to local parishioners attending church services in the Town Centre. In 2003, up to the implementation of the current scheme in 2008, the timings were extended from 11.00am to 5.00pm for all of the above car parks, but at that time, excluded Brewery Road car park where the timings remained from 1.00pm to 5.00pm. The estimated cost for that period is therefore based on the Christ Church congregation having access to free parking in the Victoria Way car park as Brewery Road was accessible to all.

<b>Weekly Costs of Free Sunday Parking Scheme Victoria Way Car Park 2003-2008</b>		
<b>Christ Church</b>	<b>Parkers</b>	<b>Rate</b> <b>£1.00</b>
	50	per week <b>£50</b>
	2,600	per annum <b>£2,600</b>
<b>Total estimated costs £13,000</b>		

5.10 The estimated cost to the Council is therefore £2,600 per annum for the financial years 2003 to 2008, totalling £13,000. The estimated cost to the Council is £65,000 for the five financial years from 2003 – 2008.

5.11 The comparative figures for the total gross income for Sunday parking and for weekly and annual parking, and for three years full operation are set out in the following table:

<b>Estimated Parking Three Full Years Operation</b>			
	<b>Weekly</b>	<b>Annual</b>	<b>Three Years</b>
<b>Sunday Parking Income - All Car parks</b>	<b>7,740</b>	<b>402,500</b>	<b>1,207,500</b>
<b>Total Weekly Parking Income – All Car Parks</b>	<b>87,461</b>	<b>45,548,000</b>	<b>13,644,000</b>

5.12 The Sunday parking charge which is capped at £3.00 for non churchgoers is concessionary in comparison with the other days of the week. The Director of the Shopping Centre has said that there has been no change in the footfall as a result of the introduction of Sunday Parking, and that parking charges are not a determinant of the numbers of people who go shopping. The figures for November 2011 show a footfall of 40,000 people on a Saturday and 26,000 people on a Sunday which is consistent with historical figures, and illustrates that pro-rata, given the shorter Sunday

shopping hours, Sunday is a mature shopping day in which trade is arguably bigger than on any other day of the week.<sup>11</sup>

### **The impact of free Sunday parking on the wider community**

5.13 The EqIA found that concerns about free parking for churchgoers, as well as being perceived as unfair by the non-church going community, are symptomatic of a wider problem. This relates to the frustration of residents about increased parking charges generally and concerns of residents working in the Town Centre during the weekdays, not specifically a Sunday, where parking charges can represent a significant proportion of individual and family incomes. The frustrations of residents also relate to the cost of participating in Town Centre activities, as well as concerns about increases in residential parking charges. Added to this are questions about the ad hoc manner in which the free Sunday parking practice for worshippers was introduced, and without full consideration of the impact on the wider community. This latter point was also raised by many of the beneficiaries of free Sunday parking who whilst applauding the scheme, do share concerns about the perceptions of other groups.

5.14 As part of the EqIA consultation, the views of other faith communities and non-faith communities were solicited. The largest faith community next to the Christian group in Woking is the Muslim community. The Muslim members of the Mosque on Portugal Road, close to the Town Centre, pay for on street parking from 12.00noon to 2.30pm on a Friday which is their day of religious observance. The Muslim members of the Mosque on Oriental Road have their own parking facilities and therefore parking charges is not an issue that directly affects them. In relation to the Portugal Road Mosque, the EqIA found that having to pay for on street parking at 80 pence per hour does have an adverse impact on those on low incomes or in low paid employment. In order to get around the parking costs, some members have to park a considerable distance from the controlled parking area around the Mosque whilst those who are less mobile are unable to do so and incur what they feel are excessive charges. As already stated, the issue of equity and fairness in respect of days of religious observance was also a recurring theme amongst the actual beneficiaries of the current practice. It was seen as quite right by the Muslim community that that the Council make concessions for the Town Centre churches, which, due to their location, have no parking attached to their premises. At the same time, it was seen as unfair in a multi-cultural society if similar concessions or relaxation of the rules were not also made for faith groups whose day of religious observance was not a Sunday. This is vividly illustrated by the fact that Christ Church, one of the churches that benefits from the free Sunday parking practice is approximately 150 yards from the Portugal Road Mosque. The Mosque however, due to its day of religious observance being on a Friday, is subject to parking charges and to parking restrictions. At the same time, Emanuel Chapel which is almost adjacent to the Portugal Road Mosque is not impacted by Sunday parking charges as currently, the charges do not apply on a Sunday in the parking bays in and around Portugal Road. The church also has its own small car park, and if there is overspill church members can park in the on street bays free of charge.

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<sup>11</sup> Figures provided by the Director of the Shopping Centre



5.15 The second largest group in Woking other than Christians is those who state that they are of no religious belief. Whilst there has been no impact on the footfall within the Town Centre, the introduction of Sunday parking charges is seen within the context of an increase in parking charges across the borough generally. Indeed, the issue of free Sunday parking for worshippers has been a practice that has been in operation since 2003 but gained attention and added impetus in the context of rising parking charges. As such, some residents have expressed their frustration at the practice of allowing Sunday worshippers to park free of charge whatever their income level, whilst other non church going residents, including those who fall within groups with other protected characteristics, cannot benefit from free parking, and are paying substantially increased charges across the board. This is seen as tantamount to being discriminated against on the grounds of having no belief or organised religious belief. Whilst the argument has been made that non-religious groups have six other days on which to visit the Town Centre to shop, the EqIA has found that this is not in fact the case. Indeed, whilst shopping in the Town Centre on a Sunday is important, the Town Centre is not seen by non-religious groups as solely offering a commercial and retail experience. As an illustration, carers balancing home, work and their caring responsibilities often find Sunday a convenient day to relax by visiting the Town Centre as other family members who work may be around to provide some respite. Moreover, lone parents balancing childcare, work, commuting, and the school run may find Sunday the best day to shop, and for disabled residents who want to visit the Town Centre, shop and have a meal with other family members or friends who may be working in the week, Sunday is often the most convenient day. Thus Sunday for non-worshippers accommodates flexible working patterns and fits with the rhythms of family life. This is seen as being as important as religious observance to building and maintaining the social as well as the economic fabric of communities. It is seen as important to community cohesion in Woking, and to supporting diverse family values and family structures. Therefore, in the same way as the church in Woking is seen as fulfilling an important community and social integration function, the discourse on parking charges it is argued, also needs to be expanded to take account of diverse lifestyles and secular activities that also enhance social integration. Along with church activities, those activities are also seen as contributing to the dynamism of the Town Centre, to its social milieu, and to its cohesion.<sup>12</sup>

## 6. Conclusion and recommendations

6.1 The EqIA has found that the current practice of allowing worshippers to park free on Sunday's was implemented as a reactive practice, and did not consider the needs of the wider community. The practice does not impact positively on all churchgoers as it has a negative impact on disabled Woking residents within the faith community who are excluded from its benefits, and on the wider community of residents, including disabled people who are also excluded from its benefits.

6.2 It is recommended that:

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<sup>12</sup> See for example, the Portas Review: An independent review into the future of our high streets, December, 2011 and Jane Jacobs, *The Death and Life of Great American Cities*, New York, Random House, February, 1993, (1961)

1. WBC addresses the current arrangements in relation to disabled people and Sunday parking as a matter of urgency by taking up the issue in relation to the on-street parking bays as a matter of urgency.
2. That WBC continue with the practice of allowing worshippers to park free if the Council is able to determine that it is a 'proportionate' means of achieving a legitimate aim' and having had proper regard to all of the issues raised in this EqIA.

Or

3. WBC rescind Sunday car parking charges for all visitors to the Town Centre between the hours of 7.00am and 1.00pm.

Or

4. WBC rescind Sunday parking charges for all visitors to Woking town centre on Sundays.

It is recommended that:

5. WBC make the EqIA available to all who took part in the consultation underpinning it and that it is also placed on the Council's website.

## Appendix A – List of stakeholders

Equality and Human Rights Commission

Peter Bryant, Head of Legal Services, Woking Borough Council

David Johnson, Corporate Strategy Manager, Woking Borough Council 01483 743060

Geoff McManus, Neighbourhood Services Manager, Woking Borough Council 01483 743707

Refeia Zaman, Senior Policy Officer, Woking Borough Council 01483 743479

Tim Keeping, Director of Shopping Centre

Tim Pulman, Store Manager, Debenhams of Woking

Peter Large, Head of Legal and Democratic Services, Westminster Council

Malcolm Kaynes, Pastor, Coign Church

Reverend Pippa Ross-McCabe, Working People of Faith Co-ordinator

Dr Sayid Naqvi, Mosque Al-Asr, Portugal Road

Mr Haziz Shamit, Oriental Road Mosque

Moevra Syed Ahmadiyya Community

Peter Harwood, Pastor, Christ Church

Philip Goldberg, Member of Guildford Synagogue

Simon Trick, Baha'i Faith Group

Clive Wood – Woking Disabled People's Group

Rev Bob Sneddon Trinity Methodist

Revd Lucy Brierly United Reform Church

Keith Porteous Wood – Executive Director, National Secular Society

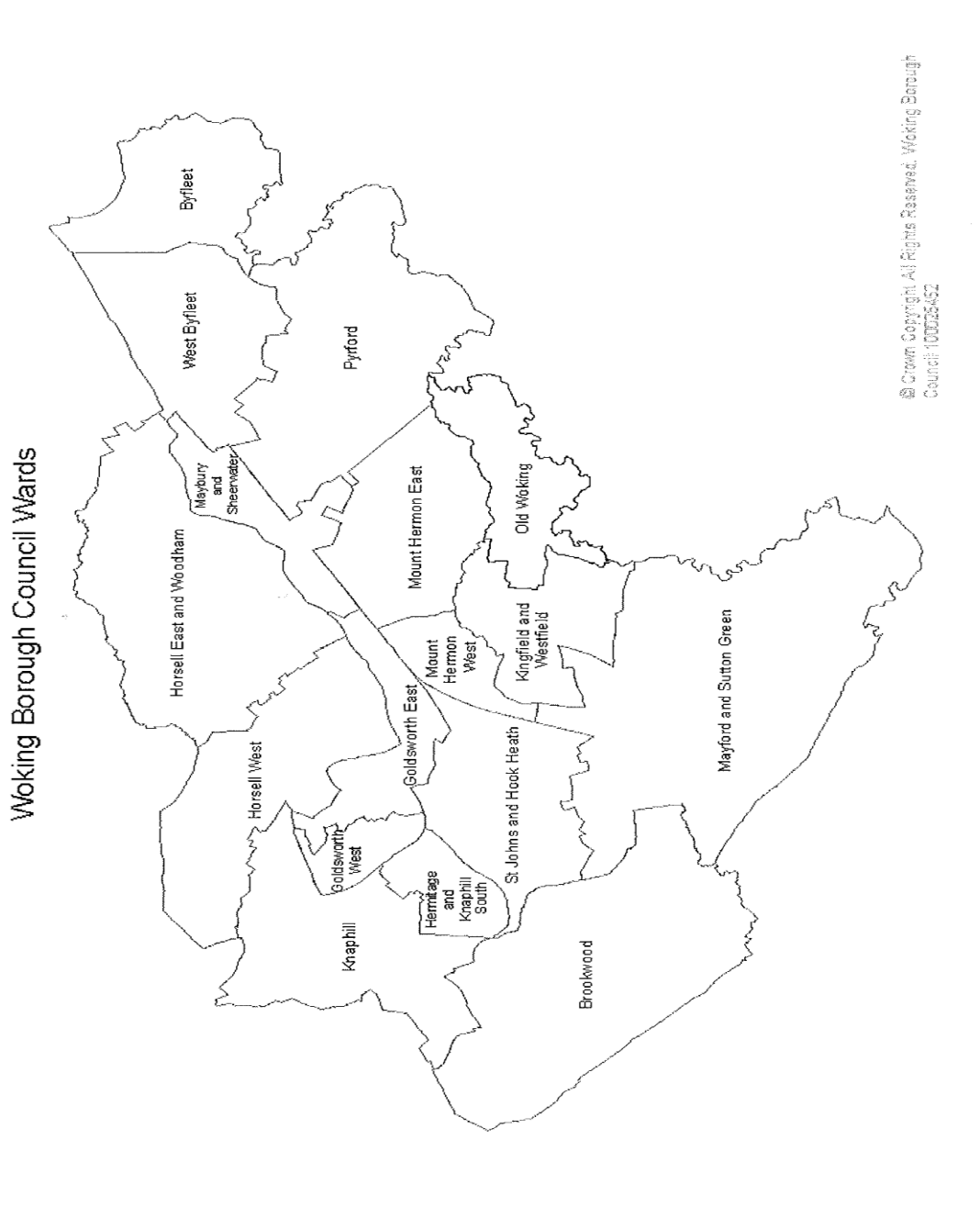
Ms Julie Kenyon – Resident

Councillor Melanie Whitehand

Councillor Liam Lyons

Clive Wood - Chief Executive Surrey Disabled People's Partnership

# Appendix B – Ward Map of Woking



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## Appendix C – Background papers

Minutes -06/03/03 – Executive, Sunday Parking, Woking Borough Council

Minutes of the Meeting of the Executive, 30 November 2006, Woking Borough Council

Report-30/11/06 Fees and Charges Review, Sunday Parking, Woking Borough Council Agenda Item 9

Counsel's Advice in the matter of the Equality Act, 2010 and Worshippers' Parking Charges

Surrey Joint Strategic Needs Assessment, 14/06/2011 refers to disabled people being more likely to be victims of hate crime

Parking to stay free for church, Surrey Advertiser Friday 21 October, 2011

NSS challenges to free parking for churchgoers forces Council to act, National Secular Society Friday 21 October, 2011

Hidden in Plain Sight – inquiry into disability-related harassment, EHRC

Free parking for Woking church goers questioned, BBC News Surrey 16 October, 2011

The Portas Review: An independent review into the future of our high streets, December, 2011

Jane Jacobs, The Death and Life of Great American Cities, New York, Random House, February, 1993, (1961)

## Appendix D – EqIA Action Plan

### Equality Impact Assessment on Woking Sunday Car Parking Action Plan

The Council needs to develop a coherent and sustainable practice in relation to Sunday parking practice, that is consulted on. The following is a summary of impact of the recommendations contained in this EqIA.

Sunday Charging Options	Positive Impact	Negative Impact	Mitigation Measures
<p><b>1. That WBC continue with the practice of allowing worshippers to park free if the Council is able to determine that it is a ‘proportionate means of achieving a legitimate aim’ and having had proper regard to all of the issues raised in this EqIA</b></p>	<p>The impact on the entire community would be considered in relation to all of the protected characteristics and protected groups within groups to inform a more carefully nuanced practice in relation to free parking for worshippers</p>	<p>The element of concession on a Sunday would mean that religious groups whose day of observance is not on a Sunday would be adversely affected</p> <p>The current Sunday charging practice does not encompass on street parking for disabled people. On street parking is administered by Surrey County Council, in consultation with Woking Borough Council is subject to a three hour restriction. It impacts adversely on the ability of disabled people to attend church and related church activities on a Sunday.</p>	<p>There is already an element of concession in relation to Sunday parking and that has a positive impact on Sunday visitors to Woking Town Centre</p> <p>The Council should consider the loss of income and determine whether it is proportionate</p> <p>The Council should consider other requests on a case by case basis, within the framework of a coherent and sustainable policy on parking charges</p>
<p><b>2. That WBC addresses the current arrangements in relation to disabled people and Sunday parking as a matter of urgency</b></p>	<p>The current scheme has a positive impact on some disabled users who are able to access the multi-storey car park</p>	<p>Not all disabled people in Woking can access the multi-storey car park and time restrictions on the disabled parking bays administered by SCC disadvantages disabled residents.</p>	<p>The Council should take up the issue in relation to disabled parking with SCC as part of a coherent and sustainable policy in relation to parking charges</p>

Sunday Charging Options	Positive Impact	Negative Impact	Mitigation Measures
		Disadvantaged residents of the non-faith community who wish to visit the Town Centre and fall within a <i>protected group</i> do not benefit from the policy.	
<b>3. Rescind Sunday car parking charges for all visitors to the Town Centre between the hours of 7.00am and 1.00pm</b>	Positive impact on some residents attending church and residents visiting the Town Centre on a Sunday to shop and have family time	The access issues in relation to the multi-storey car park, coupled with the three hour limit to on street parking means that disabled residents would not realise the intended positive benefits of this option	The issue of accessibility for disabled users needs to be addressed in relation to on street and multi-storey parking. The issue of accessibility for disabled users needs to be addressed in relation to on street and multi-storey parking.
	Positive impact on residents visiting the Town Centre to engage in activities in the Town Centre, particularly, carers, people, older people and other groups on low incomes	The issue of accessibility for disabled users and on street parking restrictions would not be addressed.	A flexible practice would need to be developed that extends to other groups and kept under review
	As well as addressing the equality issues, the Town Centre could build a marketing and promotional campaign around the rescinding of Sunday Parking charges and gain an advantage over competitor towns	Does not recognise days of religious observance other than a Sunday or recognised religious beliefs that may not take place in a community with others on a Sunday	
<b>4. WBC rescind Sunday parking charges for all visitors to Woking town centre on Sundays</b>	A positive impact across all income scale on some residents attending church and residents visiting the Town Centre on a Sunday to shop and have family time	The access issues in relation to the multi-storey car park, coupled with the three hour limit to on street parking means that disabled residents would not realise the intended positive benefits of this option	The issue of accessibility for disabled users needs to be addressed in relation to on street and multi-storey parking.

Sunday Charging Options	Positive Impact	Negative Impact	Mitigation Measures
	Practice will ensure that volunteers setting up church activities on Sunday's and crèche activities for children will not suffer financial penalties	Does not recognise days of religious observance other than a Sunday or recognised religious beliefs that may not take place in a community with others on a Sunday	A flexible practice that extends to other days of religious observance would need to be developed and kept under review.
	Positive impact on residents visiting the Town Centre to engage in activities in the Town Centre, particularly, carers, older people and other groups on low incomes	There would be a substantial loss of income to WBC as Sunday is a mature trading day	
	As well as addressing the equality issues, the Town Centre could build a marketing and promotional campaign around the rescinding of Sunday Parking charges and gain an advantage over competitor towns		



