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STRATEGIC PLANNING AND CAPITAL MONITORING PANEL

Day: Monday
Date: 10 July 2017
Time: 2.00 pm
Place: Lesser Hall 2 - Dukinfield Town Hall

Item No.	AGENDA	Page No
10a)	EQUALITY IMPACT ASSESSMENT - DISPOSAL OF LAND POLICY	1 - 6

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Senior Democratic Services Officer, to whom any apologies for absence should be notified.

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Tameside Council Equality Impact Assessment Form

Subject / Title	Revised Protocol for the Sale of Council Owned land
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Service Unit	Service Area	Directorate
Estates		Place

Start Date	Completion Date
6 July 2017	10 July 2017

Lead Officer	Ian Coulson
Service Unit Manager	David Absolon
Assistant Director	Damien Bourke

EIA Group (lead contact first)	Job title	Service
David Absolon	Head of Estates	Land and Property
Ian Coulson	Senior Estates Surveyor	Land and Property

PART 1 – INITIAL SCREENING

An Equality Impact Assessment (EIA) is required for all Key Decisions that involve changes to service delivery. All other changes, whether a Key Decision or not, require consideration for the necessity of an EIA.

The Initial Screening is a quick and easy process which aims to identify:

- *those projects, policies, and proposals which require a full EIA by looking at the potential impact on any of the equality groups*
- *prioritise if and when a full EIA should be completed*
- *explain and record the reasons why it is deemed a full EIA is not required*

A full EIA should always be undertaken if the project, policy or proposal is likely to have an impact upon people with a protected characteristic. This should be undertaken irrespective of whether the impact is major or minor, or on a large or small group of people. If the initial screening concludes a full EIA is not required, please fully explain the reasons for this at 1e and ensure this form is signed off by the relevant Service Unit Manager and Assistant Executive Director.

1a.	What is the project, policy or proposal?	Revised Protocol for the sale of council land
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1b.	What are the main aims of the project, policy or proposal?	Disposal of surplus assets to raise capital receipts and save costs.
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1c. Will the project, policy or proposal have either a direct or indirect impact on any groups of people with protected equality characteristics?

Where a direct or indirect impact will occur as a result of the policy, project or proposal, please explain why and how that group of people will be affected.

Protected Characteristic	Direct Impact	Indirect Impact	Little / No Impact	Explanation
Age		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Disability		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Ethnicity		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Sex / Gender		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Religion or Belief		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Sexual Orientation		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Gender Reassignment		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Pregnancy & Maternity		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the groups mentioned
Marriage & Civil Partnership		√		It is considered highly likely that some of the sites to be sold may have been or are being used by some or all of the

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				groups mentioned
Are there any other groups who you feel may be impacted, directly or indirectly, by this project, policy or proposal? (e.g. carers, vulnerable residents, isolated residents)				
Group (please state)	Direct Impact	Indirect Impact	Little / No Impact	Explanation
N/A				

Wherever a direct or indirect impact has been identified you should consider undertaking a full EIA or be able to adequately explain your reasoning for not doing so. Where little / no impact is anticipated, this can be explored in more detail when undertaking a full EIA.

1d.	Does the project, policy or proposal require a full EIA?	Yes	No
		√	
1e.	What are your reasons for the decision made at 1d?	To ensure that any impact that a decision to sell the Councils assets has been fully considered.	

If a full EIA is required please progress to Part 2.

PART 2 – FULL EQUALITY IMPACT ASSESSMENT

2a. Summary
<p>Whilst it is understood that some of the sites to be sold have been used on a convenient basis by a variety of local people, the council has an obligation to Central government to sell under-utilized publicly owned assets to reduce the level of revenue public spending on maintaining and operating surplus or unused assets and also so that they are capable of being used by others to support the economic regeneration of local areas.</p> <p>The Council has to decide whether local residents will be disadvantaged by the Council selling land when balanced against competing fiduciary interests of the wider communities to warrant the continuation of the Council holding vacant land as trustee.</p>

2b. Issues to Consider

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One of the main issues to consider is the impact of the policy on local community groups and the residents who could make use of the land. In particular this needs to be considered in the context of the Tameside Equality and Diversity Profile and the socio-economic make-up of the 221,692 residents of Tameside.

For example Tameside has an ageing population (17.3%) and a higher than average number of people who have disabilities (21%) There are also an increasing number of people from ethnic background (11.5%).

Also whilst the number of people under 16 is declining in Tameside it may be that some within that category may be disadvantaged by the loss of a local open space for playing ball games, exercise, etc. This does, however, need to be balanced with the number of Parks that are available for these purposes within the Borough.

Local residents often object to the disposal of vacant land on the grounds that the nature and use of the sites to be sold for the benefit of the wider community are protected.

Objections are often received on the grounds that the natural habitat will no longer be protected.

The council is under increasing pressure to sell off surplus assets to raise capital receipts and save costs. The cost of maintaining these open spaces including issues such as fly-tipping, unauthorised occupation, encroachments, etc. are a continuing burden on Council resources.

This Policy will assist in achieving the Council's aims but needs to be considered within the context of the use by the wider community.

2c. Impact

The particular socio-economic groups referred to in 2b above i.e. the older people and the disabled and children may be disadvantaged by the loss of public open space within their locality dependent upon their proximity to and access to other green spaces.

Also to be considered is the impact on local Community Groups who may make use of the land on an occasional ad-hoc basis without the Council's knowledge possibly for a summer fair or for fund raising events.

However, this has to be balanced by the fact that these activities may only take place for a few days throughout the year and the Council have a responsibility for the site throughout the year.

Disposal of land and assets often results in additional revenue to the Council in the form of increased business rates, where sites are developed or used for commercial activity and the Council Tax and New Homes Bonus if developed for housing.

Any change of use of any sites sold will require Planning permission which is a Statutory process via which issues arising from the natural habitat will be adequately protected. Until such time as a Planning Application is made for change of use the land will continue to be open space for use by all of the affected groups. As part of the Planning process both individuals and Groups will be able to make representations to the Local Planning Authority and these will be considered as part of the Statutory Process.

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Increased capital receipts help the Council fulfil its obligation to central government to sell surplus sites to raise additional capital receipts.

2d. Mitigations *(Where you have identified an impact, what can be done to reduce or mitigate the impact?)*

<i>Impact 1 (Describe)</i>	In accordance with s 123 of the Local Government Act 1972 the proposal to sell any sites which are classed as Public Open Space to be advertised in Tameside Reporter for 2 consecutive weeks asking for any representations to be sent into the Council in writing.
<i>Impact 2 (Describe)</i>	Any objections representations received to be fully considered before a decision is made whether or not to proceed with the sale of an individual site such decision to be made by the Executive member for Finance and Performance.
<i>Impact 3 (Describe)</i>	The cumulative effect of selling a large number of sites over time will need to be monitored in the context of the overall impact on the Borough of the loss of these open spaces and the reducing number of sites and consequential choices of residents and Groups who make use of these areas.
<i>Impact 4 (Describe)</i>	Liaise with the Local Planning Authority and make use of any data that is held in respect of green-spaces within the Borough.
<i>Impact 5 (Describe)</i>	Where it is assessed that there is likely to be an impact on any groups with protected equality characteristics a further EIA will be undertaken as required.

2e. Evidence Sources

Demographic profiles as defined by the Councils web site intranet
S 123 Local Government Act 1972
Brief planning statement provided by Councils planning department to accompany and site to be sold and obtained prior to offering any sites for sale
Planning law to include Local Plan (UDP)
Site inspection carried out by member of Estates section

2f. Monitoring progress

Issue / Action	Lead officer	Timescale
<i>To monitor any objections received as per this document</i>	<i>Required</i>	<i>Required</i>

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Signature of Service Unit Manager	Date
Signature of Assistant Executive Director	Date