

## Equality Impact Assessment (EIA):

|  |                                     |                       |                           |
|--|-------------------------------------|-----------------------|---------------------------|
| <b>Name of Report/Proposal/Strategy:</b> | Proposed Disposal of Surplus Assets |                       |                           |
| <b>Name (Key Officer/Author):</b>        | Garth Millard                       | <b>Business Unit:</b> | T.D.A                     |
| <b>Position:</b>                         | Asset Disposals                     | <b>Tel:</b>           | 01803 207805              |
| <b>Date:</b>                             | Commenced EIA                       | <b>Email:</b>         | Garth.millard@tedcltd.com |

Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

### Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

|    |   |  |   |
|----|---|--|---|
| 1) | <b>Does this report relate to a key decision?</b>   | Y <input type="checkbox"/>   | N <input type="checkbox"/>  |
| 2) | <b>Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following:</b> <ul style="list-style-type: none"> <li>• <b>The Community (including specific impacts upon the vulnerable or equality groups)</b></li> <li>• <b>Our Partners</b></li> <li>• <b>The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision)</b></li> </ul> | Y <input checked="" type="checkbox"/><br>Y <input type="checkbox"/><br>Y <input checked="" type="checkbox"/> | N <input type="checkbox"/><br>N <input checked="" type="checkbox"/><br>N <input type="checkbox"/> |

## Section 1: Purpose of the proposal/strategy/decision

| No | Question  | Details   |
|----|---|---|
| 1. | <b>Clearly set out the purpose of the proposal</b>        | <p>That 6 Council Real Estate Assets be declared no longer required for service delivery and that subject to any expressions of interest received under the Council's agreed Community Asset Transfer the Assets be individually disposed. The Assets are;</p> <ul style="list-style-type: none"> <li>• Land adj. 4 Plym Close, Torquay.</li> <li>• Land adj.45 Stanley Gardens, Paignton.</li> <li>• Land r/o 2-40 Parkfield Road, Torquay.</li> <li>• Land adj. 7 Rock Road, Torquay.</li> <li>• 2 detached garages &amp; adjoining land adj. 3 Rhodanthe Drive, Paignton.</li> <li>• Land and unused garages adj. Alpine Road, Torquay.</li> </ul> |
| 2. | <b>Who is intended to benefit / who will be affected?</b> | <p>The disposal of assets not required for service delivery will enable the capital receipts to be reinvested into the Council's existing capital programme, which will contribute to the Council's objectives and therefore benefiting the residents of Torbay..</p>   |
| 3. | <b>What is the intended outcome?</b>                      | <p>That 6 Council Real Estate Assets be declared no longer required for service delivery, and subject to any Expressions of Interest under the Council's Community Asset Transfer Policy 2008, and other representations received, the disposal of the assets be progressed to supply the Council with a Capital receipt.</p>   |

## Section 2: Equalities, consultation and engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **equalities, consultation and engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

## Evidence, consultation and engagement

| No | Question   | Details  |
|----|--|--|
| 4. | <b>Have you considered the available evidence?</b> | <p>The effective use of assets is a key factor in delivering to the community of Torbay the objectives and priorities they have set for the Council.</p> <p>The Councils Corporate Asset Management Plan (CAMP) 2013-2017 sets out the strategies to achieve the most efficient use of assets</p> <p>The principle aim of the CAMP is to ensure that the opportunity cost of financial resources tied up in land and buildings is minimised, and that capital and revenue expenditure on the portfolio is directed efficiently and effectively to provide value for money.</p>   |
| 5. | <b>How have you consulted on the proposal?</b>     | <p>Letters including plans of the individual assets have been forwarded to Councillors and Chairs of each Community Partnerships, of each Ward affected by the proposals, seeking any comments or observations on the proposals.</p> <p>The Wards and Community Partnerships affected are:<br/>           Shiphay &amp; The Willows<br/>           Clifton with Maidenway<br/>           Torre &amp; Upton<br/>           Ellacombe<br/>           Preston</p> <p>Where there is existing public access (i.e. Land adj. 4 Plym Close, Torquay.<br/>           Land adj. 45 Stanley Gardens, Paignton.<br/>           Land off Alpine Road, Torquay.)<br/>           the Secretary for the Torbay Local Access Forum has been sent individual plans, seeking any comments or observations on the proposals.</p> <p>If the proposals are agreed by the Mayor, Notices, and advertisements in the local paper, will be posted under Section 123(1)(2a) of the Local Government Act 1972, and any representations considered by the Mayor.</p> |
| 6. | <b>Outline the key findings</b>                    | <p>Any comments or observations on the proposals received will be Reported to Members in an additional briefing document for consideration at the meeting on 15<sup>th</sup> May 2013.</p>   |

| No | Question   | Details  |
|----|--|--|
| 7. | What amendments may be required as a result of the consultation? | In reaching a Decision on the proposals, the Mayor will consider any comments or observations received and if appropriate amend the proposals. |

### Positive and negative equality impacts

| No | Question  | Details  |                                   |   |
|----|---|--|-----------------------------------|---|
| 8. | Identify the potential positive and negative impacts on specific groups | Consideration of any impact on specific groups has been considered and is reported below.  |                                   |   |
|    |   | Positive Impact  | Negative Impact                   | Neutral Impact  |
|    | All groups in society generally   | Capital receipt to help fund the agreed Capital Plan.<br>Reduction of Council maintainance costs.<br>Improved use of underused Council resources.<br>Improved visual amenity.<br>Provision of Community space. | Limited loss of open amenity area |   |
|    | Older or younger people   |  |                                   | There is no differential impact on older or younger people with regard to this proposal             |
|    | People with caring responsibilities                                     |  |                                   | There is no differential impact on people with caring responsibilities with regard to this proposal |
|    | People with a disability  | Although there is no differential impact on people with a disability, where appropriate the Secretary of the Torbay Local Access Forum has been sent individual plans, seeking any comments or observations on |                                   | There is no differential impact on people with a disability with regard to this proposal            |

| No | Question  | Details   |  |
|----|---|---|--|
|    |   | the proposals   |  |
|    | Women or men  |   | There is no differential impact on women or men with regard to this proposal   |
|    | People who are black or from a minority ethnic background (BME)                   |   | There is no differential impact on people who are black or from a minority ethnic background (BME) people with regard to this proposal |
|    | Religion or belief (including lack of belief)                                     |   | There is no differential impact on religion or belief (including lack of belief) with regard to this proposal                          |
|    | People who are lesbian, gay or bisexual   |   | There is no differential impact on people who are lesbian, gay or bisexual with regard to this proposal                                |
|    | People who are transgendered  |   | There is no differential impact on people who are transgendered with regard to this proposal   |
|    | People who are in a marriage or civil partnership                                 |   | There is no differential impact on people who are in a marriage or civil partnership with regard to this proposal                      |
|    | Women who are pregnant / on maternity leave                                       |   | There is no differential impact on Women who are pregnant / on maternity leave with regard to this proposal                            |
|    | Socio-economic impacts (including impact on child poverty issues and deprivation) | The six Council Real Estate Assets that are being declared no longer required for service delivery will be Subject to the receipt of Expressions of Interest under the Council's Community Transfer Policy 2008. The disposal of assets will enable |  |

| No | Question  | Details   |  |
|----|---|---|--|
|    |   | <p>the capital receipts to be reinvested into the Council's existing capital programme, which will contribute the Council's objectives and therefore benefiting the residents of Torbay.</p> <p>There is also a link to the future use of these sites being used to improve the visual amenity of some of the assets and will therefore enhance the value to the community and assist in social cohesion.</p> |  |
| 9. | <p><b>Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations?</b></p> | <p>It is considered that the improvement of the visual amenity of some of these assets will enhance the value to the Community, and in one instance provide a new Community Garden to assist in social cohesion.</p>  |  |

### Section 3: Steps required to manage the potential impacts identified

| No  | Action   | Details  |  |
|-----|--|--|--|
| 10. | <p><b>Summarise any positive impacts and how they will be realised most effectively?</b></p> | <p>It is considered that the improvement of the visual amenity of some of these assets will enhance the value to the Community, and in one instance provide a new Community Garden to assist in social cohesion.</p> <p>The receipt of a Capital sum if assets are sold will assist in the provision of agreed expenditure under the Capital Plan, and reduce the cost of management &amp; maintainance.</p> |  |
| 11. | <p><b>Summarise any negative impacts and how these will be managed?</b></p>                  | <p>Limited loss of open amenity land, currently largely unused and overgrown..</p>   |  |

#### Section 4: Recommended course of action

| No  | Action   | Details  |
|-----|--|--|
| 12. | <p><b>State a recommended course of action</b></p> <p>[please refer to action after section 5]</p> | <p><b>Outcome 1: No major change required</b> - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken.</p> |

#### Section 5: Monitoring and action plan

| No  | Action   | Details  |
|-----|--|--|
| 13. | <p><b>Outline plans to monitor the actual impact of your proposals</b></p> | <p>The proposal is only to obtain approval from the Mayor to confirm the assets are no longer required for service delivery.</p> <p>If agreed, there will be ongoing discussions with Community Partnerships and Third Parties to ensure there is no negative impact to these proposals.</p> |

*Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment*

## Action plan

Please detail below any actions you need to take:

| No. | Action  | Reason for action / contingency  | Resources | Responsibility | Deadline date              |
|-----|---|--|-----------|----------------|----------------------------|
| 1   | Receive, and consider any objections comments and observations from Consultees.   | To ensure all interested parties' views are considered prior to consideration of Report. | TDA       |                | 15 <sup>th</sup> May 2013  |
| 2   | If proposal agreed, to ensure 'Expressions of Interest' are sought under the Council's Community Asset Transfer protocol.   | To comply with the Council's agreed Community Asset Transfer protocol.                   | TDA       |                | 15 <sup>th</sup> June 2013 |
| 3   | If proposal agreed, to ensure the proposed disposal of any public open space is advertised in accordance with Section 123(1)(2a) of The Local Government Act 1972, and to report any objections to the Mayor for consideration. | To comply with Statute requirements  | TDA       |                | 30 <sup>th</sup> May 2013  |