

Park Avenue, Southall, Cabinet update: APPENDIX 3 - Full EAA

1. Proposal Summary Information	
EAA Title	Redevelopment of Land at Park Avenue Southall Gateway
Please describe your proposal?	Scheme
Is it HR Related?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Corporate Purpose	Cabinet Report Decision

1. What is the Scheme looking to achieve? Who will be affected?

The proposal is to redevelop a land asset, Park Avenue Southall, after it has been vacated by the current tenants now in place and once the Merrick Road foot and cycle bridge project is completed. The proposal is to dispose of the asset to Paragon Asra Housing (PAH), so that it can be redeveloped for new homes (c. 530 units taken together with the site next door in PAH's ownership (Milan Road).

The people affected will be:

- a) Residents at Milan Road
 - b) Industrial occupiers of the Park Avenue site
 - c) Future residents of the scheme
 - d) Other neighbours and residents of Southall
-
- a) This EAA does not consider the impacts on residents of Milan Road as they are covered by PAH equality duty as a charitable organisation. LBE is not aware of any protected or other characteristics of this group due to GDPR restrictions. All residents who are entitled to be rehoused will be rehoused by PAH.
 - b) The industrial occupiers of the Park Avenue site (2-3 businesses) have been held on short term leases since April 2016 and are aware they need to make plans to relocate their businesses. The Council is not aware of any specific impacts on groups with protected characteristics.
 - c) The scheme would provide new, predominantly affordable housing for people from Ealing, including properties suitable for families and for disabled people. Consideration of their needs is set out below.
 - d) The scheme would be designed to high quality with excellent environmental standards and would provide a screen to the proposed developments to the South of the railway. The area would be designed to allow for inclusive public realm and support the provision of the new public foot and cycle bridge with enhanced adjacent public realm. This scheme would contribute a positive impact to the development quality and landscape of Southall.

The main impacts on other groups are set out in section 2 below.

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2. What will the impact of your proposal be?

The main impact of the proposal will be the creation of over 500 (net new) homes for Ealing residents of which the majority (up to 85%) will be affordable homes.

As of October 2020, Ealing Council has **10,589** households on its waiting list for housing including **3,173** families in overcrowded accommodation and a total of **5,884** families, which collectively include **10,590** children. **2,366** households applying for accommodation include a person who considers themselves to have a disability. Ealing Council has a statutory responsibility to house many of these families, in particular those comprising vulnerable people.

On average last year **37%** of new lettings were to homeless households in priority need.

2. Impact on Groups having a Protected Characteristic

AGE: *A person of a particular age or being within an age group.*

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

There is no additional impact on people of particular age groups.

Describe the Mitigating Action

DISABILITY: *A person has a disability if s/he has a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities¹.*

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

The provision of new homes will ensure that all units comply with 'lifetime homes' standards and that 10% are suitable for wheelchair users thereby meeting the needs of people who may be disabled now or become disabled in the future. This is better provision for disabled people than the existing stock.

The public realm will offer inclusive access to the new housing.

Describe the Mitigating Action

None

¹ Due regard to meeting the needs of people with disabilities involves taking steps to take account of their disabilities and may involve making reasonable adjustments and prioritizing certain groups of disabled people on the basis that they are particularly affected by the proposal.

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GENDER REASSIGNMENT: <i>This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<i>No additional impact</i>
Describe the Mitigating Action
N/A

RACE: <i>A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.</i>																								
State whether the impact is positive, negative, a combination of both, or neutral:																								
Describe the Impact																								
<i>A breakdown of the Council's housing waiting list in July 2020 showed that it was comprised of the following groups by ethnicity shows that the vast majority of applicants are from black and minority ethnic communities. Therefore the provision of new affordable homes should have a positive beneficial impact for these communities:</i>																								
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="text-align: left;">Ethnicity</th> <th>Percentage</th> </tr> </thead> <tbody> <tr><td>White</td><td>26.6%</td></tr> <tr><td>Mixed white & black</td><td>3.6%</td></tr> <tr><td>Mixed white & asian</td><td>1%</td></tr> <tr><td>Mixed other</td><td>1.6%</td></tr> <tr><td>Asian</td><td>22.8%</td></tr> <tr><td>Black</td><td>29%</td></tr> <tr><td>Gypsy Romany</td><td>0.12%</td></tr> <tr><td>Chinese</td><td>0.18%</td></tr> <tr><td>Other</td><td>8.1%</td></tr> <tr><td>Not stated</td><td>7%</td></tr> <tr><td>Total</td><td>100%</td></tr> </tbody> </table>	Ethnicity	Percentage	White	26.6%	Mixed white & black	3.6%	Mixed white & asian	1%	Mixed other	1.6%	Asian	22.8%	Black	29%	Gypsy Romany	0.12%	Chinese	0.18%	Other	8.1%	Not stated	7%	Total	100%
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RELIGION & BELIEF: <i>Religion means any religion. Belief includes religious and</i>

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philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

No additional impact

Describe the Mitigating Action

N/A

SEX: Someone being a man or a woman.

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

No additional impact

Describe the Mitigating Action

N/A

SEXUAL ORIENTATION: A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.

State whether the impact is positive, negative, a combination of both, or neutral:

Describe the Impact

No additional impact

Describe the Mitigating Action

N/A

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PREGNANCY & MATERNITY: <i>Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<i>No additional impact</i>
Describe the Mitigating Action
<i>N/A</i>

MARRIAGE & CIVIL PARTNERSHIP: <i>Marriage: A union between a man and a woman or of the same sex, which is legally recognised in the UK as a marriage Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<i>No additional impact</i>
Describe the Mitigating Action
<i>N/A</i>

3. Human Rights²
4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN

² For further guidance please refer to the Human Rights & UNRC Guidance on the Council Equalities [web page](#).

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Convention on the rights of persons with disabilities?

Yes No

Under the Human Rights Act 1988 Act, it is unlawful for a public authority such as the London Borough of Ealing to act in a manner, which is incompatible with the European Convention on Human Rights. In the context of this redevelopment proposal Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property) are relevant and will be taken into account before any decision to proceed is taken.

Members will need to be satisfied that although the recommendations in the Cabinet report will require a small number of businesses to relocate thereby potentially affecting their human rights, this is necessary to protect the rights and freedoms of others (in this case, the rights of the Council as landowner to dispose of the property for redevelopment). The Council is permitted to control the use of property in accordance with the general interest and Cabinet will need to be satisfied that the recommendations in the report are proportionate in all the circumstances.

4. Conclusion

In conclusion the proposal affects people with protected characteristics on account of their race and or disability. This offers significant opportunities to these protected groups. It also affects other vulnerable groups including homeless people and children.

4a. What evidence, data sources and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.

Southall Opportunity Area Planning Framework 2014

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/opportunity-areas/opportunity-areas/southall>

Data from Ealing's council house waiting list and housing department.

5. Action Planning: *(What are the next steps for the proposal please list i.e. what it comes into effect, when migrating actions³ will take place, how you will measure impact etc.)*

Action	Outcomes	Success Measures	Timescales/ Milestones	Lead Officer (Contact Details)
Enter conditional contracts to	PAH can commit to fund planning	Contracts in place	Agree contract terms in line with	Eleanor Young, Ealing Council;

³ Linked to the protected characteristics above

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dispose of the land	and next stages of project		HOT agreed by Cabinet – Spring 2021	Suzannah Taylor PAH
Apply for planning consent for the new scheme	Ensure policies on affordable new homes and accessible homes are implemented	Planning consent for policy compliant scheme	2021 (by June 2022 at the latest) Informal advice taken. Pre app to be complete summer 2020.	Suzannah Taylor PAH
Obtain vacant possession of the sites required	Residents secure alternative homes; businesses relocate	Decant complete		Eleanor Young, Ealing Council; Suzannah Taylor PAH
Additional Comments:				

6. Sign off: *(All EAA's must be signed off once completed)*

Completing Officer Sign Off:	Service Director Sign Off:	HR related proposal <i>(Signed off by directorate HR officer)</i>
Signed:  Name (Block Capitals): ELEANOR YOUNG Date: 26/11/2020	Signed:  Name (Block Capitals): LUCY TAYLOR Date: 26/11/2020	Signed: N/A Name (Block Capitals): Date:
For EA's relating to Cabinet decisions: received by Committee Section for publication by (date):		

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Appendix 1: Legal obligations under Section 149 of the Equality Act 2010:

- As a public authority we must 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.

- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP

- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.

- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.