



Notice of Decision Meeting:
Good Growth

Meeting Location: Decision Meeting

Date: Wednesday, 10 November 2021

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Chief Executive: Paul Najsarek

INDIVIDUAL CABINET MEMBER DECISION (ICMD) AGENDA

MEMBERSHIP:

Councillor Shital Manro - Portfolio Holders for Good Growth

1 **Urgent Matters**

2 **Matters to be Considered in Private**

Item 4 Appendices 2 and 3 are exempt from disclosure by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

3 **Declarations of Interest**

4 **ICMD The Green Southall Compulsory Purchase Order** 5 - 24

MATTERS TO BE CONSIDERED IN PRIVATE

Exclusion of the Public and Press:

On agreement of the Committee, under Section 100(A) of the Local Government Act 1972, the public would be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act for the reasons stated on the agenda.

4 **CONFIDENTIAL Appendix 2 The Green draft CPO**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

4 **CONFIDENTIAL Appendix 3 The Green Draft SoR**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

Published: Tuesday, 02 November 2021

A handwritten signature in black ink, appearing to read 'P. Najsarek'. The signature is written in a cursive style with a large initial 'P' and a long, sweeping underline.

Paul Najsarek
Chief Executive, London Borough of Ealing

Contains Confidential or Exempt Information	YES (Part) Appendices 2 and 3 are exempt from disclosure by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972
Title	The Green Southall Compulsory Purchase Order
Responsible Officer(s)	Lucy Taylor, Executive Director, Place
Author(s)	Eleanor Young, Regeneration Adviser
Portfolio(s)	Cllr Shital Manro, Lead Member for Good Growth
For Consideration By	Cllr Shital Manro,
Date to be Considered	10 November 2021
Implementation Date if Not Called In	23 November 2021
Affected Wards	Southall Green
Keywords/Index	Southall Big Plan, The Green

Purpose of Report:

This report is to authorise the making of the Compulsory Purchase Order (CPO) in relation to the Green Southall.

1. Recommendations

It is recommended that Cllr Manro

- 1.1 Approves the making of a CPO on the basis of the attached draft documentation for the for the Green, Southall (as shown on the plan at Appendix 1),
- 1.2 Authorises the Director of Legal and Democratic Services to finalise the draft documentation prior to the making of the Order

Background

- 1.2 Cabinet has previously considered three reports on this scheme. The first, in March 2017, gave approval to seek a development partner for a scheme in Old Southall town centre involving a mixture of Council owned and private land. The proposal was to advertise the scheme via the OJEU under procurement legislation applicable at the time and the procurement process commenced in July 2017.

- 1.3 In July 2018 a further report reported the outcome of the the procurement process and recommended the appointment of Peabody as the Council's preferred partner and approved the making of a CPO in principle to facilitate the development. This was approved by Cabinet and a Development Agreement with Peabody was signed in April 2019.
- 1.4 Lastly, a report in June 2021 approved amendments to the CPO scheme boundary to remove the acquisition of the Tudor Rose club from the CPO, and to include land at Featherstone Terrace and St Anselm's Church and other incidental changes.
- 1.5 Links to these previous reports can be found at the end of this report.

2 Reason for Decision and Options Considered

- 2.1 A planning application for the site was made in July 2021 which is recommended for approval by Ealing Council's Planning Committee on 20 October subject to conditions and s106.
- 2.2 The key metrics of the proposed scheme are a total number of residential units of 564 of which 269 will be Affordable Housing (50% by habitable room) of which 157 will be for London Affordable Rent and 112 shared ownership. There will now be 2923 m2 non-residential provision (flexible uses class commercial and community space). The commercial space allows for a range of different businesses including light industrial, office, retail and food and beverage. Importantly, the spaces have been designed so that they can be amalgamated and sub-divided providing opportunities for existing businesses currently on the Site as well as for start-ups and small businesses.
- 2.3 From a job creation perspective and based on the current anticipated demand focused towards Class E(g) (ii) and (iii) uses, the estimated minimum employment demand is for 90 jobs (FTE). This is based on 2,502 sq.m. of the 2,923 sqm of flexible commercial floorspace being Class E(g) (ii) and (iii) uses at an employment density of one employee per 30 sq.m. and 421 sq.m. being a nursery (Class E(f)) at a density of one employee per 60 sqm. As a flexible approach is sought to allow the commercial floorspace to interchange between uses subject to demand, the job creation will continue to change over time. However, the calculation used assumes a 'worst case' scenario of lower employment density uses rather than higher density uses (e.g. retail or office) that could potentially operate from the site within the use classes sought. As such, the creation of 90 jobs is considered to be a cautious estimate and may well likely increase. Alongside jobs created once the development is completed, there would also be a significant number of jobs created through the construction period for which there would be opportunities for apprenticeships.
- 2.4 With regard to the CPO generally, Peabody and their agent commenced discussions with all affected property owners in 2019 and these negotiations continued throughout 2019 and into 2020, although these discussions were impacted by Covid restrictions. These discussions have recommenced in 2021 and continue following the submission of the planning application.

2.5 Whilst a number of property owners have been happy to enter into discussions to sell their property and progress has been made in understanding details of properties and their use and occupation, it has not been possible to reach agreement on terms to acquire on any site at this stage. Other property owners have stated that they are not willing to sell their property to Peabody or the Council. Therefore, in order to ensure all necessary property and rights can be assembled for development to commence in line with the current programme, a compulsory purchase order remains necessary to facilitate the scheme delivery. A full Statement of Reasons for the CPO is included as Confidential Appendix 3. This Statement is included to aid decision making on a confidential basis and will be published in full upon publication of the Order.

2.6 Negotiations with affected landowners will continue throughout this process.

**Appendix 1 shows the final draft boundary for the CPO
Confidential Appendix 2 is the final draft CPO
Confidential Appendix 3 is the final draft Statement of Reasons to support the CPO**

3. Key Implications

4. Financial

4.1 The costs involved in making the CPO, any subsequent public inquiry and the eventual purchase of the affected properties will be met by Peabody as part of the overall scheme costs.

4.2 The Council has in place a CPO Indemnity Agreement dated April 2019 to confirm this.

4.3 There are no impacts on the Council's revenue or capital budget as a result of making the CPO.

5. Legal

5.1 The most appropriate enabling powers for compulsory purchase of any of the sites within the proposed redevelopment area that that cannot be acquired by agreement are those contained in section 226(1)(a) of the Town & Country Planning Act 1990. Section 226 enables the Council to acquire compulsorily any land in their area if it considers that the acquisition will facilitate the carrying out of a development, re-development or improvement on, or in relation to, the land. The Council must also consider that the proposal will help to promote or improve the economic, social or environmental well-being of the area. The CPO also seeks to acquire new rights in order to facilitate the construction or operation of the development.

5.2 Guidance on the exercise of CPO powers confirms that compulsory purchase orders should only be made where there is a compelling case in the public interest. The Portfolio holder needs to be satisfied that this case outweighs the impact of compulsory acquisition on existing owner and occupiers and is to have regard to the effect of a CPO on their human rights. In particular members will need to be satisfied that the proposed interference with those rights is lawful, proportionate and in the public interest. Those affected by any Order will have an opportunity to object and to have their objection considered. Compensation is also available under a compensation code and any disputes over compensation are determined by a statutory tribunal.

5.3 Human Rights

The United Kingdom is a signatory to the European Convention on Human Rights (ECHR) which came into force as an international treaty in 1953. The Convention comprises a statement of rights, which signatory states guarantee, and incorporates machinery and procedures for their enforcement through the European Commission of Human Rights and the European Court of Human Rights in Strasbourg.

5.4 The provisions of the ECHR which are of most relevance to compulsory purchase and the exercise of powers under the stated sections of the Highways Act 1980 in this context are as follows.

- Article 6 - "In the determination of his civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law...."
- Article 8 - "Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country. For the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."
- Article 1 of the First Protocol - "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law. The preceding provisions shall not, however, in any way impair the right of the state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest...."

5.5 The Human Rights Act 1998 came fully into force on 2 October 2000, incorporating the provisions of the ECHR into domestic law. Although the ECHR guarantees the right to peaceful enjoyment of property, it is clear from Article 1 7 of the First Protocol that compulsory acquisition of land does not involve an infringement of the ECHR so long as it is done in the public interest and subject to the law laid down by statute. Similar considerations apply to Article 8. States are given a "margin of appreciation" in deciding for themselves what constitutes sufficient public interest to justify a compulsory acquisition.

- 5.6. The procedure for compulsory purchase in England and Wales enables a landowner who objects to a compulsory purchase to be heard at a public inquiry before the order is confirmed. There is a right to challenge a decision to confirm an order on two statutory grounds - that the authorisation of the order is not empowered to be granted under the Acquisition of Land Act 1981 or that a "relevant requirement" has not been complied with - and it is considered that these procedures comply with Article 6, which provides a right to a fair trial in relation to civil rights and obligations.
- 5.7 The Courts have considered the concept of "proportionality" in relation to compulsory purchase and the weight of authority supports the proposition that the test of proportionality is satisfied provided that the order strikes a fair balance between the public benefit sought and the interference with the rights in question. Officers are satisfied that there is clear evidence that the public benefit of the proposed redevelopment will outweigh the private loss of the sites concerned.
- 5.8 This and previous reports provide information to show that there is a compelling case for a CPO in the public interest. In particular the reports confirm how the Council intends to use the land affected by the CPO. In addition they demonstrate that the necessary resources are available and the basis on which it is considered that if a CPO is made there will be no planning impediments to the proposed redevelopment and that the assumption of compulsory powers now is not premature.

6. Value For Money

- 6.1 All land acquired, whether by agreement or via a CPO, will be acquired at market value reflecting the statutory requirements and case law of the Compensation Code, and the MHCLG Guidance (July 2019) on Compulsory Purchase Compensation and the Crichel Down Rules. In addition, owners of sites acquired by CPO will be entitled to non market value compensation including statutory loss payments, disturbance and reinvestment costs as well as reimbursement of the costs of taking professional advice. These rules are intended to protect the interests of land owners and in following these rules, the Council and Peabody are not able, lawfully, to exploit or take advantage of land owners in the CPO area, who must get fair compensation for their land.
- 6.2 Equally, the Council has a fiduciary duty to the local tax payers which means that it is not allowed, legally, to purchase land parcels for more than the market value as recommended by its appointed surveyor. This check ensures that the transaction must be fair to both parties – the buyer and the seller – and neither one is able to benefit unfairly from the transaction.

7. Sustainability Impact Appraisal

- 7.1 Sustainability issues have been considered as part of the planning process.

8. Risk Management

8.1 There are risks to making a CPO, but these are considered to outweigh the benefits. The key risks are:

- Objections to the CPO which is mitigated through the opportunity for a public inquiry
- Inspector / Secretary of State does not confirm Order made by Council which is mitigated by making close adherence to correct process and a robust case in justification as set out in the Statement of Reasons
- Landowners object which is mitigated by having ongoing dialogue with landowners and making fair and evidence based offers, and as necessary reconsidering these in the light of any new evidence provided by those landowners.

9. Community Safety

9.1 The new scheme would significantly improve the quality of the public realm and built form in Southall the Green and would enhance community safety.

10. Links to the 3 Key Priorities for the Borough

10.1 The council's administration has three key priorities for Ealing. They are:

- Creating good jobs
- Tackling the climate crisis
- Fighting inequality

This scheme would contribute to all three but particularly the first one. The provision of new workspace will contribute to jobs growth in Southall and should allow for roughly double the number of jobs in that location as currently exist.

Further, through the provision of sustainable travel options and urban greening the scheme would also contribute to the greening of our borough by tackling the climate crisis, cleaning our air and ensuring the borough we build is sustainable.

Lastly, the provision of new genuinely affordable homes will contribute towards tackling the poverty and inequality that blights too many lives and disproportionately holds back all too many people from achieving their dreams and aspirations.

11. Equalities, Human Rights and Community Cohesion

11.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Section 149 of the Equality Act 2010 places the Council, as a public authority, under a legal duty ("the public sector equality duty"), in the exercise of all its functions, to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;

- advance equality of opportunity between persons who share a "relevant protected characteristic" (i.e. the characteristics referred to above other than marriage and civil partnership) and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.2 A full EAA has been carried out for the scheme and this has been updated (attached as Appendix 4)

12. Staffing/Workforce and Accommodation implications:

12.1 None

13. Property and Assets

13.1 This report affects property identified for disposal at Featherstone Terrace Car Park.

14. Any other implications:

14.1 None

15. Consultation

15.1 Full consultation has been carried out on the scheme through the planning process.

15.2 Informal consultation with landowners and affected businesses commenced in 2016 through a series of meetings about Southall the Green SPD held by Council officers.

15.3 Formal negotiations with landowners and affected businesses commenced in 2019 via Avison Young, acting as the Council's agents in this case.

15.4 Formal s16 / requisition notices were sent to all affected properties in September 2021.

15.5 Consultation and discussion with affected parties will continue throughout the period of the CPO process.

16. Timetable for Implementation

Task	Timeline
Planning application approved	Oct/Nov 21
Make CPO	Nov 21
Period for objections	Nov/Dec 2021
CPO Inquiry if required	June 2022
CPO decision	September 2022
VP and start on site	Winter 2022

17. Appendices

- Appendix 1 – map showing final draft CPO boundary
- Confidential Appendix 2 – Draft CPO
- Confidential Appendix 3 – Draft CPO Statement of Reasons
- Appendix 4 – EAA

18. Background Information

[March 2017 Cabinet Report](#)

[July 2018 Cabinet Report](#)

[June 2021 Cabinet Report](#)

Development consultation website - <https://www.thegreensouthall.co.uk>

[Compulsory purchase process and the Crichel Down Rules - GOV.UK \(www.gov.uk\)](#)

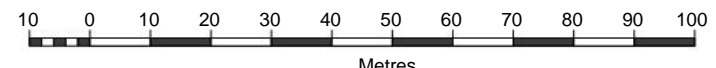
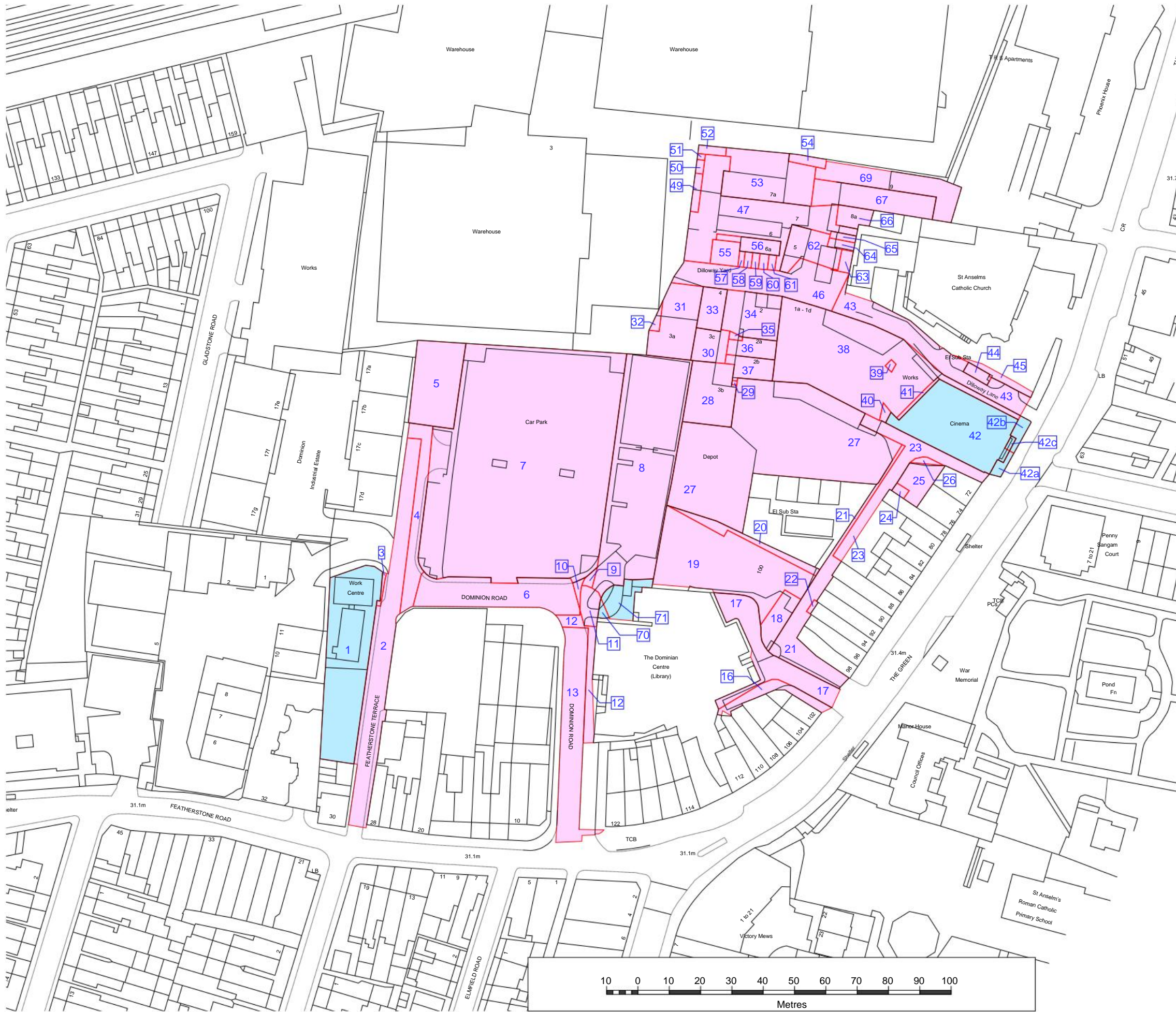
Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Lucy Taylor	Executive Director, Place	14/10/21		
Sandra Fryer	Director, Growth and Sustainability	14/10/21		
Jackie Adams	Head of Legal (Commercial)	7/10/21	29/10/21	Throughout
Russell Dyer	Assistant Director Accountancy	7/10/21		
Cllr Shital Manro	Lead Member for Good Growth	14/10/21	26/10/21	
Louisa Ware	Cabinet Support Officer	7/10/21		
External				
Virginia Blackman	CPO adviser, Avison Young	7/10/21	10/10/21	Throughout

Report History

Decision type:	Urgency item?
Key Decision	No
Report no.:	Report author and contact for queries: Eleanor Young, Strategic Regeneration Adviser

Plan Referred to in The Green, Southall Compulsory Purchase Order 20XX



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Ver	Date	Comments	Drm	Chk	App

Key:

- Land to be acquired
- Temporary possession and use of

Business Unit:	Land Referencing	Status:	Draft
Approved By:	MHE	Checked By:	LMCK
Date Approved:	26/10/2021	Date Checked:	26/10/2021
Drawn By:	RCA	Date Drawn:	26/10/2021

Title:

Plan Referred to in The Green, Southall Compulsory Purchase Order 20XX

Date of Issue:	27/10/2021	Project Code:	1837 - 8004	Scale:	1:1,250 @A3
Drawing Reference:	1837 - 8004_000165	Version:	3.0		

Appendix 4 - Full Equalities Analysis Assessment

1. Proposal Summary Information	
EAA Title	Southall the Green redevelopment
Please describe your proposal?	Is it a Project
Is it HR Related?	Yes No <input checked="" type="checkbox"/> X
Corporate Purpose	<u>Individual Cabinet Member Decision – the Green CPO</u>

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

The Southall the Green redevelopment project is looking to acquire land needed to carry out a comprehensive redevelopment of land identified for redevelopment in the Southall Opportunity Area. The site is approximately 6ha and comprises mixed commercial units and a council car park. The scheme proposed is for residential and commercial units and replacement public car parking.

The project will affect everyone currently living and working in the development area and new residents and businesses that could occupy the new space built.

2. What will the impact of your proposal be?

There are a number of businesses on site which will need to relocate or may be at risk of closure to accommodate this proposal.

There are two residential units on site which will need to be acquired to accommodate this proposal, namely units 1a and 1c Dilloway Yard. These are currently let and occupied under assured shorthold tenancies.

Replacement commercial space, capable of accommodating some of the businesses currently on site will be provided through the redevelopment.

c. 550 new residential properties will be provided and ancillary community space. Of the new residential properties, 50% by habitable room will be affordable.

As of October 2020, Ealing Council had **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.

2031 applicants said yes when asked whether they have a disability

152 applicants are recorded as having restricted mobility, but there could be many more who have not submitted a medical form for assessment

Appendix 4 - Full Equalities Analysis Assessment

1540 applicants have advised that they receive disability-related benefits.

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: N/A

Describe the Impact

There would be significant enhancements for people with disabilities as a result of this proposal due to the positive enhancements to public realm and the need to provide new accommodation designed to inclusive design and lifetime homes principles, including 10% of new homes (55) to be made suitable for wheelchair users.

In addition, there will be enhanced public realm in the development area and improved routes connecting to the station and the local bus stops.

Describe the Mitigating Action

None – the scheme will enhance the physical environment for disabled people.

GENDER REASSIGNMENT: *This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.*

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

Describe the Impact

There is no differential impact on people with this characteristic.

Describe the Mitigating Action

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.

Appendix 4 - Full Equalities Analysis Assessment

RACE: A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.

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

Describe the Impact

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:

<u>Ethnicity</u>	<u>Percentage</u>
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	<u>7%</u>
<u>Total</u>	<u>100%</u>

The properties affected by the land assembly are in varied ownership and no detailed analysis exists about the ownership of properties by ethnicity.

However, there are some properties within the proposed redevelopment area which may be considered to impact on specific racial groups.

The Tudor Rose

The Tudor Rose is a former nightclub and community building. It was previously proposed to include this property within the redevelopment and demolish it, possibly including replacement facilities for the current owners to take up within the new scheme. However, during consultation on the original scheme in 2019 strong objections were received from a range of local community groups and stakeholders as to the inclusion of this building.

Appendix 4 - Full Equalities Analysis Assessment

Following discussion with the Council and Peabody it is recognised that the building is a landmark in Southall and is an important cultural asset to the Black Caribbean community. Given its historic place in the cultural history of Southall the development will now leave the building in situ although the plans include changes to the external setting and potentially also the façade of the building to integrate it better with the new development.

The Monsoon and Milan Palace Banqueting Suites

These facilities are predominantly but not exclusively used by members of the Indian Community for celebrations. It is not clear whether in the event of redevelopment these facilities would close or would be relocated, although the agent acting for the developer has offered assistance to the occupiers in identifying potential relocation premises. There is some evidence locally that demand for this type of facility has fallen (for example the local banqueting suite the Centre is not being regularly used and owners of that building have provided evidence to the Council that demand for this type of facility has moved to more peripheral locations such as hotels). Meetings have taken place with the owner of both banqueting suites and the leaseholder of the Monsoon Banqueting Suite. The leaseholder has expressed interest in relocation and the owner has expressed interest in redeveloping the property.

The Resource Centre

The Resource centre is a portable building based on Council owned land at Featherstone Terrace. The Council is now considering allowing this land to be relaid for public car parking thus displacing the Resource Centre. The Resource Centre is run by a number of Somali-led groups that provide services to a range of local people, including both people of Somali origin and those from other communities including recent immigrants.

Describe the Mitigating Action

Tudor Rose – leave Tudor Rose in situ and improve the external area and setting of the building
Banqueting suites – no mitigation to report; this is for commercial / market discussion with the affected parties.

In respect of banqueting suites, operating businesses will be entitled to a CPO hearing if they object to the Order and if the Order is granted they will be entitled to statutory compensation to allow these businesses to relocate and continue trading and the Council's agents will work with the affected businesses to assist with relocation as appropriate.

Resource Centre – any impact should be mitigated by a temporary and permanent relocation solution secured through the s106

As a general point, the new commercial space being provided on site will allow for opportunities for both new and existing local businesses to be accommodated alongside those currently in-situ. This does not benefit any one specific group.

RELIGION & BELIEF: *Religion means any religion. Belief includes religious and 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: N/A

Describe the Impact

Appendix 4 - Full Equalities Analysis Assessment

Due to the retention of the Tudor Rose building, a small amount of land will now be needed from St Anselm's Catholic church to facilitate access to the wider development area. The impact has been measured and assessed as the loss of one car parking space within the Church designated car park, which could be seen to have an impact on Catholic residents who attend the church, particularly those with a disability or older residents. This impact will be mitigated as part of the new development by a review of layout and use of the car park to ensure most efficient use of spaces, and the provision of a number of new public car parking spaces within the development adjacent to the Church to the North.

The Church carries out a range of important social and community functions that affect not just the Catholic population but the wider Southall community, such as operating a food bank and homelessness support services.

Describe the Mitigating Action

Overall, the scheme will aim to minimise the loss of parking and servicing space for the church, and to ensure the continuation of existing religious worship and community outreach work (including the food bank) both during works and after they are completed.

Further the new development will improve the setting of both the Church building itself and the homeless accommodation on-site by removing existing low grade adjacent uses such as vehicle repair garages etc.

SEX: *Someone being a man or a woman.*

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

Describe the Impact

There is no differential impact on people with this characteristic.

Describe the Mitigating Action

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: N/A

Describe the Impact

There is no differential impact on people with this characteristic.

Describe the Mitigating Action

Appendix 4 - Full Equalities Analysis Assessment

PREGNANCY & MATERNITY: *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.*

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

Describe the Impact

There is no differential impact on people with this characteristic.

Describe the Mitigating Action

MARRIAGE & CIVIL PARTNERSHIP: *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.*

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

Describe the Impact

There is no differential impact on people with this characteristic.

Describe the Mitigating Action

3. Human Rights²

4a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?

Yes No

4b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?

Yes No

4c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?

Yes No

All parties affected by the loss of land or business premises under CPO action will be compensated under the Compensation Code.

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

Appendix 4 - Full Equalities Analysis Assessment

4. Conclusion

The proposal does not have a negative impact on any group with a protected characteristic. Insofar as there is potential to negatively impact any particular group this will be explored as part of the business relocation strategy.

If the project goes ahead it will offer a significantly improved environment for people with physical disabilities and improved opportunities for people from BAME backgrounds to access suitable affordable rented housing.

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.

The Green Southall SPD and Southall Opportunity Area Planning Framework.

Information gleaned through public consultation and through consultation with landowners and leaseholders.

Information from the Council's public housing waiting list.

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)
Disability – ensure new proposals fully meet the need of disabled people in line with agreed policies	Improved public realm. Scheme fully inclusive and accessible for disabled people. 10% wheelchair homes to be provided.	Scheme meets expected outcomes	At planning application approval stage	Eleanor Young younge@ealing.gov.uk
Race – ensure new proposals mitigate any negative impacts on particular racial groups	Impact of proposals on Resource Centre	Scheme meets needs of existing users if appropriate	At planning application submission stage	Eleanor Young younge@ealing.gov.uk



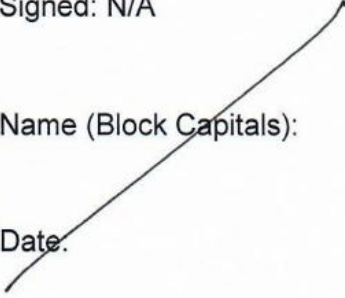
Additional Comments:

Impacts on the St Anselm's Catholic Church will be minimised especially during the construction phase.

³ Linked to the protected characteristics above

Appendix 4 - Full Equalities Analysis Assessment

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

Completing Officer Sign Off:	Service Director Sign Off:	HR related proposal (Signed off by directorate HR officer)
<p>Signed:  Name (Block Capitals): ELEANOR YOUNG Date: 1 Nov 2021</p>	<p>Signed:  Name (Block Capitals): SANDRA FRYER Date: 1 Nov 2021</p>	<p>Signed: N/A Name (Block Capitals): Date:</p> 
For EA's relating to Cabinet decisions: received by Committee Section for publication by (date):		

Appendix 4 - Full Equalities Analysis Assessment

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.

