

Equalities Analysis Assessment

1. Proposal Summary Information

EAA Title	The Broadway Connection Potential CPO
Please describe your proposal?	It is a Project
Is it HR Related?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Corporate Purpose	Cabinet Report Decision

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

Cabinet is being asked to approve in principle the future making of a Compulsory Purchase Order (CPO) for The Broadway Connection proposed development scheme and actions required now to prepare for such a future outcome. The purpose of this project is to support the delivery of a major new office development at the heart of Ealing's metropolitan town centre where the majority of the land has been assembled and a small number of property is required to deliver the extent of the proposed Development Scheme.

The purpose for supporting the Development Scheme is to promote the economic well being of Ealing town centre and the wider borough, to support the creation of significant numbers of new jobs through attracting new businesses and enabling existing businesses to grow therefore creating spin off economic multiplier effects to the wider town centre.

The Development Scheme will affect visitors, businesses and residents of the town centre in Ealing and also residents across the borough and beyond who may benefit from new jobs located there. There is expected to be a significant enhancement to GVA as a result of this scheme to help rebalance Ealing workers' earnings with Ealing residents' incomes, increasing the overall number of well paid jobs within the borough boundaries.

2. What will the impact of your proposal be?

The CPO would support the delivery of the proposed Development Scheme for Ealing Broadway. This would increase certainty around the land assembly required to deliver the development.

Should the scheme proceed there would be (estimated as of June 2021) increase of 2,800 new jobs in the town centre and a further 252 FTE construction jobs on average each year during a four year construction period.

These jobs would be available to residents throughout the borough of Ealing and beyond.

Further, investment into the public realm at this prominent town centre location would result in improvements to accessibility both to the buildings and the spaces between them. This would enhance the experience for people with physical disabilities and other mobility issues such as older people. The Development Scheme would result in the re routing of an existing public right of way from an

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unpleasant and non overlooked footpath to a prominent route through the site which in addition to physical / accessibility improvements would also enhance public safety.

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

As set out above, the scheme's main impact on older people would be in positive improvements to the public realm and public walking routes through the town centre. It would benefit people with mobility issues by providing modern and accessible thresholds to the public realm and buildings within the Development Scheme.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

Describe the Mitigating Action

None

DISABILITY: *A person has a disability if s/he has a physical, mental or sensory 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

Impact would be as for older people assuming scheme designed within principles of Inclusive Environment as required by the London Plan.

Alternatives and mitigating actions which have been considered in order to reduce negative effect:

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 particular impact.</i>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>None</i>

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
<p><i>Ealing's BAME population (2020) is 54% compared to a London wide average of 44%. Therefore it is likely that BAME people will be affected by the scheme due to the make up of Ealing's population.</i></p> <p><i>People of colour or ethnic minority origin could be impacted particularly by this Scheme in two ways:</i></p> <ul style="list-style-type: none"> <i>- First if there are properties and businesses affected which include properties owned or managed by people with this characteristic</i> <i>- Secondly by way of access to new jobs as part of Ealing's wider population.</i> <p><i>However, it is not known whether any of the affected properties and businesses involve people with any particular identified characteristics and this matter will be kept under review going forward. Any party affected directly by the CPO is protected in law and entitled to compensation in applicable circumstances in accordance with the Crichton Down Rules and the Compensation Code. These rules do not discriminate on race or ethnicity grounds and their application is controlled through the CPO process.</i></p> <p><i>In respect of the second point it should be expected that people of colour or from ethnic minority groups would have access to new jobs in line with the wider population. Therefore, would be affected in a positive way. However, evidence from Ealing's Race Equality Commission (REC) shows that this is not always the case and there is currently a discrepancy between earnings rates between ethnic minority communities and the wider population. The REC report suggests that there is a pay gap between the BAME and white populations where BAME residents earn less than their white counterparts. The REC suggests action to address this through non statutory reporting of race based pay gaps.</i></p>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:

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<p>Describe the Mitigating Action</p> <ol style="list-style-type: none"> 1. <i>The Developer will keep under review the impact of the CPO on affected occupiers and these will be treated fairly in line with the law irrespective of race or any other protected characteristic. This EAA will be updated as more information becomes available on those directly affected by the CPO.</i> 2. <i>We would ask the developer and future occupiers of the scheme to commit to action recommended by Ealing's Race Equality Commission for employers of 100+ staff to commit to a pledge that shares the responsibility for reducing inequality, including on ethnic minority pay gap reporting: we call on employers across Ealing with 100+ staff to bring in reporting on the ethnicity pay gap in their workforce in the same way that employers are required by law to report on the gap in pay on average between men and women.</i>

<p>RELIGION & BELIEF: <i>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.</i></p>
<p>State whether the impact is positive, negative, a combination of both, or neutral:</p>
<p>Describe the Impact</p> <p><i>No particular impact.</i></p>
<p>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</p>
<p>Describe the Mitigating Action</p> <p><i>None</i></p>

<p>SEX: <i>Someone being a man or a woman.</i></p>
<p>State whether the impact is positive, negative, a combination of both, or neutral:</p>
<p>Describe the Impact</p> <p><i>No particular impact</i></p>
<p>Alternatives and mitigating actions which have been considered in order to reduce negative effect:</p>
<p>Describe the Mitigating Action</p> <p><i>None</i></p>

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SEXUAL ORIENTATION: <i>A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes, covering including all LGBTQ+ groups.</i>
State whether the impact is positive, negative, a combination of both, or neutral:
Describe the Impact
<i>No particular impact.</i>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>None.</i>

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 particular impact.</i>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>None.</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 particular impact.</i>
Alternatives and mitigating actions which have been considered in order to reduce negative effect:
Describe the Mitigating Action
<i>None.</i>

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3. Human Rights²

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

Yes No

This issue is covered within the legal analysis in the main Cabinet report

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

Yes No

This issue is not thought to be covered by the proposed Development Scheme

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

This group may be affected by the proposal in a positive way but their rights should not be affected in a harmful way.

4. Conclusion

Insofar as there are affects on people with protected characteristics these are thought to be positive. Where there is concern that some groups may be disadvantaged within society from accessing opportunities that arise from the Development Scheme, ways of mitigating this are sought by the Council in terms of ongoing monitoring.

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.

Information is taken from Ealing Data online (www.data.ealing.gov.uk) and from Ealing's Race Equality Commission report (published 27 January 2022).

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

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5. Action Planning: (What are the next steps for the proposal please list i.e. when it comes into effect, when mitigating actions linked to the protected characteristics above will take place, how you will measure impact etc.)

Action	Outcomes	Success Measures	Timescales/ Milestones	Lead Officer (Contact Details)
Monitor persons directly affected by CPO for protected characteristics	Ensure no unfair treatment / and or additional mitigation if necessary	Persons affected by the CPO are treated fairly and without discrimination	Ongoing to making of CPO order and towards confirmation	Eleanor Young younge@ealing.gov.uk
Ealing Council to work closely with Scheme Developer and in future with Scheme occupiers to seek non statutory reporting on racial pay inequalities	Monitor results; companies can consider recruitment, training, mentoring and other measures needed to address pay inequalities (if there are any)	No pay gap between BAME and white persons within development scheme	Ongoing	Lucy Taylor TaylorL@ealing.gov.uk

Additional Comments:

Accessibility issues for persons with mobility difficulties (primarily disabled people and older persons) to be addressed through planning and building control systems.

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)
Signed:  Name (Block Capitals): ELEANOR YOUNG Date: 26 th May 2022	Signed:  Name (Block Capitals): LUCY TAYLOR Date: 26 th May 2022	Signed: Name (Block Capitals): N/A Date:

For EAA's relating to Cabinet decisions: received by Committee Section for publication by 26 May 2022

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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.