

Equality Impact Assessment

Relating to: Gloucestershire Infrastructure Investment Fund

Date: October 2012

Introduction

This Impact Assessment supports the County Council in meeting its legal obligations under the **Public Sector Equality Duty**, now contained in section 149 of the Equality Act 2010. The Equality Duty ensures that public bodies have due regard to the statutory needs referred to in section 149 when exercising their functions.

Section 149 provides that in exercising its functions an authority must have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it; and
- foster good relations between people who share a protected characteristic and those who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it involves having due regard (in particular) to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- 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 the need to foster good relations between persons who share a relevant protected characteristic and those who do not share it involves having due regard (in particular) to the need to tackle prejudice and to promote understanding.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled person's disabilities.

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Compliance with the duties in section 149 may involve treating some persons more favourably than others; but not if that would itself involve conduct which is made unlawful under the Equality Act 2010.

The protected characteristics to which the duty applies are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, also marriage and civil partnership but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having **due regard to** means consciously thinking about the statutory needs as part of the process of decision making, when the proposals are still at a formative stage, and before a decision is reached. This means that consideration of those equality issues must influence the decisions reached by public bodies. The Equality Duty must be exercised in substance, with rigour and with an open mind.

Indirect discrimination occurs where a condition criterion or practice is applied which would put people with one of the protected characteristics at a disadvantage, and the imposition of that condition, criterion or practice is not a proportionate means of achieving a legitimate aim, i.e. it cannot be objectively justified.

It is important to understand and consider how different people will be affected by the decisions the Council makes, so that policies and services are appropriate and accessible to all and meet different people's needs.

This assessment will help you think about the potential impact your proposals will have on all sections of the community. Recognising these impacts early on in the process of developing policies will assist good decision making and ensure that the County Council delivers services appropriate to people's needs. Remember that the Equality Duty involves having due regard to the needs to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, as well as to eliminate discrimination and other conduct which is unlawful under the Equality Act 2010.

1. Person responsible for undertaking this assessment:

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Service: Communities & Infrastructure/Gloucestershire Local Enterprise Partnership	E-mail: angela.presdee@glosfirst.co.uk
	Date of Assessment: 8.10.12

2. Name and brief description of the policy, service, strategy, procedure or function: (indicate whether new or revised)

'Grow Gloucestershire' - £12m Economic Stimulus Package - focus on skills, infrastructure and homes

New government initiative – local management of the Growing Places Fund

3. Briefly describe its aims and expected outcomes

The aim is to approve and endorse the County Council's role to act as Accountable Body and 'fund holder' for the Gloucestershire Infrastructure Investment (loan) Fund (GIIF) and set up a governance and management structure which complies with the Department for Communities & Local Government (DCLG) prospectus/requirements for the Growing Places Fund. To put in place mechanisms for allocating the investment funding to specific 'infrastructure' projects, that will accelerate the development of 'stalled' sites to stimulate economic growth and investment. Successful projects will need to demonstrate a number of positive measurable outcomes such as retention/creation of new jobs, uplift in productivity, number of houses etc, as well as a realistic payment mechanism for the return of the investment 'loan' upon realisation of development value.

4. Describe how this policy will impact on the Council's duty to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations

Identify what particular groups of people will be affected by this policy.

The establishment of the Gloucestershire Infrastructure Investment Fund has enabled Gloucestershire to draw down investment for infrastructure projects to stimulate economic growth from DCLG. The fund's application and prioritisation process will assess potential projects/schemes against a number of criteria, including any impacts on regeneration areas in Gloucestershire which will contribute to advancing equality of opportunity.

The Gloucestershire Infrastructure Investment Funding has the potential to impact on all residents in Gloucestershire. All schemes/projects will give due regard, as part of any assessment, on how they impact on accessibility, availability and acceptability for any vulnerable groups.

All projects that receive an investment award as part of this initiative, will have already been through a robust assessment that would have given due consideration to equality of opportunity, as part of Local Authority processes and procedures including the securing of planning permission.

The Gloucestershire Infrastructure Investment Fund has been designed to be an open process and applications have been encouraged from both the public and private sector across the whole County area.

5. Provide details of the evidence you have gathered in making this assessment, including data sources, consultation undertaken and the outcome/s of this.

The LEP, supported by GCC has been successful in securing investment funding and establishing a new locally managed fund that will be available to accelerate development sites to stimulate economic growth to support the local economy. The following sources of evidence have been used to help develop an understanding of the likely and/or actual impacts:

Gloucestershire County Council Corporate Priorities

LEP Vision and Activity Plan

DCLG Growing Places Fund Prospectus

Engagement with the Homes & Communities Agency with regard to their experience of managing the South West Regional Infrastructure Fund - procedures/processes and contract documentation

Gloucestershire County Council Local Transport Plan and key transport priorities

Local Authority Local Investment Plans/Infrastructure Delivery Plans (evolving)

Consultation and sharing of good practice with other Local Authorities on their local Growing Places Fund arrangements

Wider consultation and engagement with key public and private sector partners and organisations, as part of the development of the Fund and the establishment of robust governance and management arrangements

6. Is this Policy affected by, or will it have an impact on other Meeting the Challenge proposals? Yes/No. (If yes, please specify relevant project and indicate how it is affected).

Positive impact, as will be complimentary and support the County Council’s corporate priorities, as part of the £12m Economic Stimulus Package.

7. Where any particular group is affected differently by the policy in either a negative or a positive way, if you identify a negative impact, explain what actions you have undertaken or you plan to undertake, including consideration of any alternative proposals, to lessen or negate this impact.

	Negative	Positive	Neutral	Evidence	Mitigating actions where a negative impact has been identified	How will the mitigating action be monitored/evaluated, including who will be responsible for monitoring.
Age		x		Improving the job prospects for individuals as projects are likely to create new job opportunities, as well as enhance and increase the competitiveness of our companies and local economy		

Disability (indicate different impacts on different types of disability)			X			
Gender reassignment			X			
Marriage & civil partnership			X			
Pregnancy & maternity			X			
Race (including Gypsy & Traveller)			X			
Religion or Belief			X			
Sex			X			
Sexual Orientation			X			

Indirect Discrimination			x			
Other groups: e.g. rural isolation, long term unemployed, health inequality, carers		x		Looking to improve and enhance localities including rural locations, and increase the prospects and job opportunities for such groups as the long term unemployed.		
Socio-economically deprived groups			x	Increase opportunities - as above		
Community Cohesion	<p>Provide details of any ways in which the proposed activity would promote equality in the community between those who share a protected characteristic and those who do not, and how it would promote good relations between such groups</p> <ul style="list-style-type: none"> • Is there equality between those who will and won't benefit from the proposal? • Are there strong relationships between groups and communities in the area affected and will the proposed action promote positive relationships? 			<p>The impacts of the Gloucestershire Infrastructure Investment Fund will have to be assessed on a project by project basis.</p> <p>The overall vision of the initiative is to stimulate economic growth across the county, and ensure that individuals and communities are able to have access to job and housing opportunities from the development of a number of stalled sites.</p> <p>However, increased accessibility may increase the opportunities for groups/communities to interact.</p>		

	<ul style="list-style-type: none"> Does the proposal bring groups/communities into increased contact with each other? 			
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Declaration

We are satisfied that an Assessment has been carried out and where a negative impact has been identified, actions have been developed to lessen or negate this impact where possible. Where the impact on equalities of the policy or proposals is very significant, and mitigating actions do not sufficiently lessen the impact, or mitigating actions cannot be identified, we have considered whether to go ahead with the original proposal at all, or whether to reformulate it. We understand that the Equality Impact Assessment is required by the County Council and that we take responsibility for the completion and quality of this assessment.

Completed by: Angela Presdee

Date: October 2012

Role: Investment Manager, GCC/Gloucestershire Local Enterprise Partnership



Countersigned by Head of Service:

Date: 3 December 2012

Name of relevant Portfolio Holder/Cabinet Member: Cllr C Fellows: Cabinet Member - Economy and Environment

I confirm that I have examined and understood the potential impact of the proposal and confirm that I have had due regard to the needs set out in section 149 of the Equality Act 2010.



Portfolio Holder/Cabinet Member

Date: 5 December 2012