

## Budget Proposals 2014/15 and 2015/16: Equality Impact Assessment (EIA) – Torbay Coast and Countryside Trust

<b>Officer Name:</b>	<b>Sue Cheriton</b>	<b>Position:</b>	<b>Executive Head of Resident &amp; Visitor Services</b>
<b>Business Unit:</b>	<b>Resident &amp; Visitor Services</b>	<b>Directorate:</b>	<b>Place and Resources</b>
<b>Executive Lead(s):</b>	<b>Cllr Ray Hill</b>	<b>Date:</b>	<b>6<sup>th</sup> February 2014</b>

The council and its partners are facing a significant challenge in the savings it needs to make over the next couple of years. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of their proposals on the community. As a council we need to ensure that we are able to deliver the savings that we need to make while mitigating against any negative or adverse impacts on particular groups across our communities.

This EIA will evidence that the Council have fully considered the impact of the proposed changes and has carried out appropriate consultation on those changes with the key stakeholders. This EIA and the evidence provided within it will allow Councillors to make informed decisions as part of the decision-making process regarding the council's budget.

### Executive Lead / Head Sign off:

<b>Executive Lead(s)</b>	<b>Cllr Ray Hill</b>	<b>Executive Head:</b>	<b>Sue Cheriton</b>
<b>Date:</b>	<b>6<sup>th</sup> February 2014</b>	<b>Date:</b>	<b>6<sup>th</sup> February 2014</b>

**Summary from Overall Budget Proposals:**

Proposals – Outline	Savings for 2014/15 and 2015/16		Implementation Cost <i>Include brief outline + year incurred</i>	Delivery <i>When will this proposal realise income / savings</i>	Risks / impact of proposals <ul style="list-style-type: none"> <li>• <i>Potential risks</i></li> <li>• <i>Impact on community</i></li> <li>• <i>Knock on impact to other agencies</i></li> </ul>	Type of decision		
	Income £	Budget reduction £				Internal	Minor	Major
TCCT - Reduction in grant over two years to Torbay Coast and Countryside Trust (TCCT)	0	100,000	None	£50,000 2014/15  £50,000 2015/16	There is the potential that TCCT will not be able to deliver projects such as the further development of Occombe Farm.  Maintenance of land managed on behalf of the Council will likely to be affected.			X

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

No	Question	Details
1.	<p><b>Clearly set out the purpose of the proposal and what is the intended outcome.</b></p>	<p>Outcome – To reduce the grant subsidy to Torbay Coast and Countryside Trust by £100k over two years</p> <p>The services provided by the Torbay Coast and Countryside Trust (TCCT) are in the most part discretionary services. The management of the public rights of way (South West Coast Path) are a statutory obligation as set out in the CROW Act 2000 as is the management of lands within the SSSI or the ANOB. Berryhead has Scheduled Monument status which means there is a statutory obligation to protect and maintain the asset.</p> <p>The Trust was formed in 1999 and took over the management of Torbay Council’s countryside estate, it was paid an annual management fee of £200,000 by the Council to provide a land management service across 1200 acres. This fee has remained largely unchanged over the 13 years of the Trust’s operation, although on route there has been the transfer of additional land (the estate is now 1750 acres) and income-generating assets and occasional adjustments for inflation.</p> <p>The estate comprises 76% of Torbay’s Public Open Space and the Trust is fully responsible for its maintenance and insurance.</p> <p>The Trust has been successful in developing new activities and income sources to help regenerate the estate and has succeeded in attracting over £8m of external investment in improving and maintaining the infrastructure of the estate. In 1999 the Trust employed just 9 people; it now employs 32 and provides placements for another 10 apprentices.</p> <p>Over the years TCCT have been working to be cost neutral across all their sites. The Trustees are working on proposals that would enable to trust to generate new sources of income.</p> <p>The Trust is indebted with overdraft and loans at the bank totalling £900k (varies as overdraft facility is used) and the Council has paid £800k in advance of land at Preston Down Road. It is anticipated at sometime in the future the Council will sell the Preston Down Road site which will probably be included in the emerging Local Plan as a site for residential development. As the Trust has a lease on the site it will be entitled to a proportion of any capital receipt (proportion will be subject to negotiation).</p> <p>There have been discussions with the Trust for the Council to take back control of the sites the Trust leases that have some development potential in return for the Council clearing some or all the Trust’s debts. These discussions have not created an agreed outcome at this stage.</p>

No	Question	Details
2.	<b>Who is intended to benefit / who will be affected?</b>	<p>The proposed reduction over the next two years will probably see a reduction in the quantity and/or quality of the land management undertaken by the Trust. This could reduce the quality of our coastal footpaths and other amenity land maintained by the Trust on the Council's behalf.</p> <p>The Trust does have plans to increase their income/surplus by increasing their trading activities. If this is successful it should be able to mitigate the Council's reduction in management fee.</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																
3.	Have you considered the available evidence?	<p>TCCT have been advised of the proposal. They have indicated there are two potential outcomes:</p> <ol style="list-style-type: none"> <li>1. A reduction in service (as described above) equivalent to the reduction in funding; or</li> <li>2. If the Council and Trust can come to an agreement on the paying off the Trust's debts in return for control of land with development potential, they believe that the proposed business plan and development option is deliverable with the income to support the reduction of the grant.</li> </ol> <p>Although the second outcome has been discussed agreement has not yet been reached. .</p> <p>Capital grants from the Coastal Communities Fund and the Heritage Lottery Fund also provide TCCT with other income opportunities to support the organisation.</p> <table border="1" data-bbox="562 970 1677 1311"> <thead> <tr> <th></th> <th>Period</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>No of complaints received regarding condition of the coast path</td> <td>Q2 2013/14</td> <td>4</td> <td>4</td> </tr> <tr> <td>Develop and agree a 3 year maintenance plan and maintain the buildings and landholdings in line</td> <td>2012/13</td> <td>90%</td> <td>100%</td> </tr> <tr> <td>Value of grant funding generated against the proportion of the total income - revenue</td> <td>2012/13</td> <td>28%</td> <td>30%</td> </tr> </tbody> </table>		Period	Actual	Target	No of complaints received regarding condition of the coast path	Q2 2013/14	4	4	Develop and agree a 3 year maintenance plan and maintain the buildings and landholdings in line	2012/13	90%	100%	Value of grant funding generated against the proportion of the total income - revenue	2012/13	28%	30%
	Period	Actual	Target															
No of complaints received regarding condition of the coast path	Q2 2013/14	4	4															
Develop and agree a 3 year maintenance plan and maintain the buildings and landholdings in line	2012/13	90%	100%															
Value of grant funding generated against the proportion of the total income - revenue	2012/13	28%	30%															

No	Question	Details			
		TCCT - % actual achieved against revenue budget	2012/13	106%	100%
		% profit from Enterprises against turnover	2012/13	15%	12%
		Meeting the actions identified in the Annual Business Plan	2012/13	92%	80%
		Developing and meeting targets identified in the Bio-Diversity Action Plan	2012/13	85%	80%
		Number of volunteer hours undertaken	Q2 2013/14	9,771	6,250
		Maintaining Green Flag Award for Cockington Country Park	2012/13	Yes	Yes
		Develop the marketing strategy and delivery targets 2010-12	2012/13	90%	90%
4.	<p><b>How will / have you consulted on the proposal?</b></p>	<p>Consultation has taken place with the Chair of TCCT and the Directors of the organisation. This has led to the development of proposals for negotiation and also an indication of the impact the cuts will have on service standards.</p> <p>It is expected that the service development proposal will be consulted on if any proposals proceed in the future.</p> <p>Torbay Council have also consulted with:</p> <ul style="list-style-type: none"> <li>• All residents in Torbay via the Mayor's budget consultation</li> </ul>			

No	Question	Details															
5.	Outline the key findings	<p>The TCCT budget proposal was included within the Mayor’s General Consultation – where the following questions were asked:</p> <p>Q. It is proposed to reduce the grant to the Torbay Coast and Countryside Trust by £50,000 in 2014/15 and by £50,000 in 2015/16. This is expected to save £100,000 over two years. Do you support this proposal?</p> <table border="1" data-bbox="1066 395 1626 691"> <thead> <tr> <th data-bbox="1066 395 1294 512">Do you support this proposal?</th> <th data-bbox="1294 395 1462 512">Number</th> <th data-bbox="1462 395 1626 512">Percent</th> </tr> </thead> <tbody> <tr> <td data-bbox="1066 512 1294 555">Yes</td> <td data-bbox="1294 512 1462 555">249</td> <td data-bbox="1462 512 1626 555">60.9</td> </tr> <tr> <td data-bbox="1066 555 1294 598">No</td> <td data-bbox="1294 555 1462 598">131</td> <td data-bbox="1462 555 1626 598">32.0</td> </tr> <tr> <td data-bbox="1066 598 1294 641">No response</td> <td data-bbox="1294 598 1462 641">29</td> <td data-bbox="1462 598 1626 641">7.1</td> </tr> <tr> <td data-bbox="1066 641 1294 691"><b>Total</b></td> <td data-bbox="1294 641 1462 691"><b>409</b></td> <td data-bbox="1462 641 1626 691"><b>100.0</b></td> </tr> </tbody> </table> <p>124 respondents also made comments relating to the proposal where they stated that they did not agree with it. These are attached at appendix one of this report.</p>	Do you support this proposal?	Number	Percent	Yes	249	60.9	No	131	32.0	No response	29	7.1	<b>Total</b>	<b>409</b>	<b>100.0</b>
Do you support this proposal?	Number	Percent															
Yes	249	60.9															
No	131	32.0															
No response	29	7.1															
<b>Total</b>	<b>409</b>	<b>100.0</b>															
6.	What amendments may be required as a result of the consultation?	There are no changes to the proposal in light of the consultation although outcome 2 (as specified within section 1 above) is still to be investigated.															

## Positive and Negative Equality Impacts

No	Question	Details		
7.	<b>Identify the potential positive and negative impacts on specific groups</b>			
		Positive Impact	Negative Impact	Neutral Impact
	Older or younger people		No Differential Impact	
	People with caring responsibilities		No Differential Impact	
	People with a disability		No Differential Impact	
	Women or men		No Differential Impact	
	People who are black or from a minority ethnic background (BME)		No Differential Impact	
	Religion or belief (including lack of belief)		No Differential Impact	
	People who are lesbian, gay or bisexual		No Differential Impact	
	People who are transgendered		No Differential Impact	
	People who are in a marriage or civil partnership		No Differential Impact	
	Women who are pregnant / on maternity leave		No Differential Impact	
	Socio-economic impacts (Including impact on child poverty issues and deprivation)		No Differential Impact	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		No Differential Impact	



No	Question	Details
8a.	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	<p>There are no other proposed changes within the Council budgets which will impact upon the TCCT.</p> <p>If the savings plan proposed or income levels are not achieved it is expected that maintenance of the countryside around Torbay under lease to TCCT may suffer. This will affect all those who use the SW Coast Path if the maintenance of this land reduces.</p> <p>The Scheduled Monument and ANOB areas may be affected by reduced maintenance which may result in restricted public access in future years if this no longer can be maintained to a level to allow public access.</p>
8b.	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	<p>There are no other public service proposals of which the Council are aware of which will impact upon the TCCT.</p>

### Section 3: Mitigating action

No	Action	Details
9.	<b>Summarise any negative impacts and how these will be managed?</b>	<p>The biggest impact will be what the Trust can achieve on the remaining grant to ensure that key assets are maintained. The Council will work with the Trust to identify areas that need to be the priority and explore other help to ensure that the assets that the public value most continue to be maintained.</p>

### Section 4: Monitoring

No	Action	Details
10.	<b>Outline plans to monitor the actual impact of your proposals</b>	<p>The performance indicators will be adjusted to reflect the agreed changes in delivery of the service. Once these are set the Council will monitor on a quarterly basis. There will be a constant review on the performance of the Trust and any adjustments dealt with as part of the monthly meetings with the Chairman and Director.</p>

**Section 5: Recommended course of action –**

No	Action	Outcome	Tick ✓	Reasons/justification for recommended action
11.	<b>State a recommended course of action</b>	<b>Outcome 1: No major change required - EIA</b> <i>has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken</i>	✓	The proposals do not amount to discrimination, either direct or indirect.
		<b>Outcome 2: Adjustments to remove barriers –</b> <i>Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality</i>		
		<b>Outcome 3: Continue with proposal - Despite</b> <i>having identified some <u>potential</u> for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have ‘due regard’.</i>		
		<b>Outcome 4: Stop and rethink – EIA has</b> <i>identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified</i>		

## APPENDIX ONE:

### Grant to Torbay Coast and Countryside Trust

It is proposed to reduce the grant to the Torbay Coast and Countryside Trust by £50,000 in 2014/15 and by £50,000 in 2015/16. This is expected to save £100,000 over two years.

Do you support this proposal?	Number	Percent
Yes	249	60.9
No	131	32.0
No response	29	7.1
<b>Total</b>	<b>409</b>	<b>100.0</b>

124 respondents made comments related to the proposal. These have been summarised into themes below:

Category	Examples of comments – where respondents said ‘No’ above
<b>Will affect tourism</b>	<p><i>“We need to keep investing in our coast for tourism and coastal erosion reasons.”</i></p> <p><i>“Tourism is important to this area and I can see this might impact on visitors and the environment.”</i></p> <p><i>“Massively important part of our economy is tourism. Coast and countryside is a major factor in this.”</i></p>
<b>Protect the environment</b>	<p><i>“The conservation of the environment is fundamental to sustainable development to protect natural resources.”</i></p> <p><i>“This organisation is working to conserve and enhance the very natural assets that make Torbay special and attract visitors to this area at all times of year, quite apart from the very real long-term need to save the environment for future generations.”</i></p>
<b>Vital resource</b>	<p><i>“We need to protect and care for our coast and countryside, they are valuable assets.”</i></p> <p><i>“It is important for both residents and tourists to have access to a well maintained coast path and parkland.”</i></p>