

Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Proposed Disposal of Surplus Assets		
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Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

1)	Does this report relate to a key decision?	Yx <input type="checkbox"/>	N <input type="checkbox"/>
2)	Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following: <ul style="list-style-type: none"> • The Community (including specific impacts upon the vulnerable or equality groups) • Our Partners • The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision) 	Yx <input checked="" type="checkbox"/> Y <input type="checkbox"/> Yx <input checked="" type="checkbox"/>	N <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/>

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p>That 13 Council Real Estate Assets be declared no longer required for service delivery and that subject to any expressions of interest received under the Council's agreed Community Asset Transfer the Assets be individually disposed in due course. All assets are either vacant or previous Council services have been discontinued.</p> <p>The assets are:</p> <ol style="list-style-type: none"> 1. Hillrise Playground, Brixham 2. Land adjoining Davies Avenue, Paignton 3. Land at Whitstone Rd, Paignton 4. Land at corner of Sands Road, Paignton 5. Land at junction of Dart Avenue & Tamar Avenue 6. Land at junction of Dart Avenue & Marldon Avenue 7. Land adjacent No 7. Weaver Court, Torquay 8. Land at Plym Close, Torquay 9. Pendennis Playground 1, Torquay 10. Land R/O Sanford Road, Torquay 11. Land at junction Clennon Lane & Fore Street, Torquay 12. Land at end of Garth Road, Torquay 13. Land at Stentiford Hill, Torquay
2.	Who is intended to benefit / who will be affected?	<p>The disposal of assets not required for service delivery will enable the capital receipts to be reinvested into the Council's existing capital programme, and save ongoing repair and maintenance costs which will contribute to the Council's objectives and therefore benefiting the residents of Torbay.</p>
3.	What is the intended outcome?	<p>That 13 Council Real Estate Assets be declared no longer required for service delivery, and subject to any Expressions of Interest under the Council's Community Asset Transfer Policy 2008, and other representations received, the disposal of the assets be progressed to supply the Council with a Capital receipt.</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
4.	Have you considered the available evidence?	<p>The effective use of assets is a key factor in delivering to the community of Torbay and the objectives and priorities they have set for the Council.</p> <p>The Councils Corporate Asset Management Plan (CAMP) 2013-2017 sets out the strategies to achieve the most efficient use of assets.</p> <p>The principle aim of the CAMP is to ensure that the opportunity cost of financial resources tied up in land and buildings is minimised, and that capital and revenue expenditure on the portfolio is directed efficiently and effectively to provide value for money.</p>

No	Question	Details
5.	How have you consulted on the proposal?	<p>Letters including plans of the individual assets have been forwarded to every Ward Councillor and Chairs of Community Partnerships, seeking any comments or observations on the proposals.</p> <p>The Wards and Community Partnerships affected are:</p> <ul style="list-style-type: none"> • Cockington with Chelston • Ellacombe • Shiphay & The Willows • Hele and Barton • Churston with Galmpton • Roundham with Hyde • Watcombe <p>The Secretary for the Torbay Local Access Forum has been sent individual plans, seeking any comments or observations on the proposals in respect of the following proposed disposals;</p> <ul style="list-style-type: none"> • Land at Whitstone Road, Paignton • Land at corner of Sands Rd, Paignton • Land at junction of Dart Avenue and Tamar Avenue, Torquay • Land at junction of Dart Avenue and Marldon Avenue, Torquay • Land adj. No. 7 Weaver Court, Torquay • Open land R/O Sanford Road, Torquay • Land at end of Garth Road, Torquay • Land at Stentiford Hill – (part of), Torquay <p>If the proposals are agreed by the Mayor, Notices, and advertisements in the local paper, will be posted under Section 123(1)(2a) of the Local Government Act 1972, and any representations considered by the Mayor.</p>
6.	Outline the key findings	<p>Any comments or observations on the proposals received will be reported to Members in an additional briefing document for consideration at the meeting on 30th October 2014.</p>

No	Question	Details
7.	What amendments may be required as a result of the consultation?	In reaching a decision on the proposals, the Mayor will consider any comments or observations received and if appropriate amend the proposals.

Positive and negative equality impacts

No	Question	Details		
8.	Identify the potential positive and negative impacts on specific groups	Consideration of any impact on specific groups has been considered and is reported below.		
		Positive Impact	Negative Impact	Neutral Impact
	All groups in society generally	Capital receipt to help fund the agreed Capital Plan. Reduction of Council maintenance costs. Improved use of underused Council resources. Improved visual amenity. Provision of Community space.	Limited loss of open amenity area	
	Older or younger people			There is no differential impact on Older or younger people with regard to this proposal.
	People with caring responsibilities			There is no differential impact on People with caring responsibilities with regard to this proposal.
	People with a disability	Although there is no differential impact on people with a disability, where appropriate, the Secretary for the Torbay Local Access Forum has		There is no direct differential impact on People with a disability with regard to this proposal.

No	Question	Details	
		been sent individual plans, seeking any comments or observations on the proposals.	
	Women or men		There is no differential impact on Women or men with regard to this proposal.
	People who are black or from a minority ethnic background (BME)		There is no differential impact on People who are black or from a minority ethnic background (BME) with regard to this proposal.
	Religion or belief (including lack of belief)		There is no differential impact on Religion or belief (including lack of belief) with regard to this proposal.
	People who are lesbian, gay or bisexual		There is no differential impact on People who are lesbian, gay or bisexual with regard to this proposal.
	People who are transgendered		There is no differential impact on People who are transgendered with regard to this proposal.
	People who are in a marriage or civil partnership		There is no differential impact on People who are in a marriage or civil partnership with regard to this proposal.
	Women who are pregnant / on maternity leave		There is no differential impact on Women who are pregnant / on maternity leave with regard to this proposal.
	Socio-economic impacts (including impact on child poverty issues and deprivation)	The 13 Council Real Estate Assets that are being declared no longer required for service delivery will be subject to expressions of Interest	

No	Question	Details	
		<p>under the Council's Community Asset Transfer Policy 2008. The disposal of assets will enable the capital receipts to be reinvested into the Council's existing capital programme, which will contribute to the Council's objectives and therefore benefiting the residents of Torbay.</p> <p>There is also a link to the future use of these sites being used to improve the visual amenity of some of the assets and will therefore enhance the value to the community and assist in social cohesion.</p>	
9.	<p>Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations?</p>	<p>It is considered that the improvement of the visual amenity of some of these assets will enhance the value to the Community.</p>	

Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	<p>Summarise any positive impacts and how they will be realised most effectively?</p>	<p>The receipt of a Capital sum if assets are sold will assist in the provision of agreed expenditure under the Capital Plan.</p>
11.	<p>Summarise any negative impacts and how these will be managed?</p>	<p>Limited loss of amenity land, currently either inaccessible or rarely used.</p>

Section 4: Recommended course of action

No	Action	Details
12.	<p>State a recommended course of action</p> <p>[please refer to action after section 5]</p>	<p>Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken.</p>

Section 5: Monitoring and action plan

No	Action	Details
13.	<p>Outline plans to monitor the actual impact of your proposals</p>	<p>The proposal is only to obtain approval from the Mayor to confirm the assets are no longer required for service delivery.</p> <p>If agreed, there will be ongoing discussions with Community Partnerships and Third Parties to ensure there is no negative impact to these proposals.</p>

Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	Receive, and consider any objections comments and observations from Consultees.	To ensure all interested parties' views are considered prior to consideration of Report.	TDA		30 th September 2014
2	If proposal agreed, to ensure 'Expressions of Interest' are sought	To comply with the Council's agreed	TDA		8 th October 2014

	under the Councils Community Asset Transfer protocol.	Community Asset Transfer protocol.			
3	If proposal agreed, to ensure the proposed disposal of any public open space is advertised in accordance with Section 123(1)(2a) of The Local Government Act 1972, and to report any objections to the Mayor for consideration.	To comply with Statute requirements	TDA		To be advertised after the Council decision