

MEETING

HOUSING AND GROWTH COMMITTEE

DATE AND TIME

MONDAY 27TH JANUARY, 2020

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
17.1	COMPULSORY PURCHASE OF PROPERTIES AT COLINDALE AVENUE, NW9	3 - 60

governanceservice@barnet.gov.uk

This page is intentionally left blank



Housing and Growth Committee

27/1/2020

Title	Compulsory purchase of properties at Colindale Avenue, NW9
Report of	Chairman of Housing and Growth Committee
Wards	Colindale
Status	Public
Urgent	No
Key	Yes
Enclosures	<i>Appendix 1 – Colindale Station Red Line</i> <i>Appendix 2 – Colindale Station Eqs</i>
Officer Contact Details	Cath Shaw, Deputy Chief Executive 0208 359 4716 Martin Smith, Regeneration Manager 0208 359 7419

Summary

This report seeks authority to make a Compulsory Purchase Order (CPO) in respect of a non-Council owned residential properties at 167 -173 and 1- 6 Agar House Colindale Avenue, together with car park and electricity substation to the rear and will be promoted using statutory powers under the Town and Country Planning Act 1990.

The use of the Compulsory Purchase Order will be an option of last resort and will only be utilised where third party interests cannot be acquired through private treaty negotiations.

Recommendations

That the Committee agrees to;

- 1. authorise the Deputy Chief Executive (DCE) or other Chief Officer as delegated by the DCE to negotiate complete and sign a Compulsory Purchase Order (CPO) Indemnity and Development Agreement to ensure Transport for London (TfL) indemnify the Council for the full financial costs of the preparation, making, confirmation, and implementation of a CPO in respect of the properties, including Counsel’s and back - dated professional fees.**

- 2. authorise the making of and (if unopposed) the CPO for the Properties;**
- 3. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to issue and sign all orders, notices and certificates in connection with the making, confirmation and implementation of the CPO; including the signing, issuing and serving of referencing and requisition for information notices;**
- 4. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to make General Vesting Declarations (GVDs) under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or to serve Notices to Treat and Notices of Entry (if required) following confirmation of the CPO;**
- 5. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to issue and serve any warrants to obtain possession of property acquired by the Council following the execution of a GVD or service of a Notice of Entry relating to the CPO if it is considered appropriate to do so;**
- 6. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to transfer all properties and proprietary interests acquired pursuant to the CPO to the relevant Development Partners in accordance with the terms of the CPO Indemnity and Development Agreement signed pursuant to 1 above.**
- 7. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to take any further necessary actions to secure the making, confirmation and implementation of the CPO;**
- 8. that the Deputy Chief Executive or other appropriate Chief Officer be authorised to appropriate to planning purposes any parcel of land within the red line planning application boundary plan for the scheme and/or the proposed CPO Plan (attached – Appendix 1) which is held by the Council for another purpose subject to obtaining any necessary statutory consents and/or compliance with any statutory procedures for such appropriation.**
- 9. that the Deputy Chief Executive or other appropriate officer be authorised to agree any compensation with those affected parties and to enter into any settlement/compromise Deed as may be needed to secure the withdrawal of objections to the CPO.**

1. WHY THIS REPORT IS NEEDED

- 1.1 As set out in this report, TfL has been actively engaging with the owners/occupiers to acquire the properties by private agreement and this will continue throughout the CPO process. However, at this stage, TfL haven't acquired any properties by Private Treaty. The above resolution is sought to authorise officers to begin work on the CPO process and carry out the usual preparation and pre-making of CPO actions. It is also hoped that the resolution will assist in negotiations to acquire the properties by Private Treaty.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The regeneration of the Colindale Area is a key priority for the Council. This is set out in policies from the Adopted Core Strategy 2012 and within the associated Colindale Area Action Plan. The planning application site is within the Colindale/ Burnt Oak 'Opportunity Area' (see below). A CPO is required to provide certainty with regard to site assembly in order to deliver the benefits of regeneration to Colindale Station and the wide area. Without a Compulsory Purchase Order as a "backstop", it would be very difficult to assemble the whole site through private treaty negotiations.

3. BACKGROUND

- 3.1 The London Plan 2008 originally identified Colindale as an "Opportunity Area". This designation has been carried forward in the London Plan (2016) and the planning application site is within the Colindale/ Burnt Oak 'Opportunity Area'. The Colindale Area Action Plan (CAAP) was adopted by Barnet in 2010. The site falls within the 'Colindale Avenue Corridor of Change' (Policy 4.1).
- 3.2 The Barnet Core Strategy 2012 was adopted after the CAAP but references it at paragraph 1.3. 3.2. The CAAP, is a statutory planning document which forms part of the Barnet Local Development Framework. It provides policies and guidance to be used in the consideration of development proposals in Colindale, and is a material consideration in the determination of planning applications in the CAAP area.
- 3.3 The purpose of the CAAP is to ensure that development in Colindale takes place in a balanced and co - ordinated manner by setting out a comprehensive framework to guide, over the next 10 to 15 years, the delivery of housing, employment, leisure, associated community facilities, infrastructure, transport initiatives, and environmental enhancement.
- 3.4 Colindale is identified in the London Plan as an Opportunity Area and the CAAP provides a framework within which 10,000 new homes, a new heart for the area to provide retail, commercial and community facilities, 1000 jobs and significant public transport and highways improvements will be delivered.
- 3.5 The CAAP ensures that growth in Colindale is focused around an accessible and attractive new neighbourhood centre that serves the everyday needs of local people combined with an exciting transport interchange at Colindale underground station. To respond to this Colindale avenue itself will undergo significant changes, to support the creation of a traffic – calmed, mixed use boulevard providing a range of new retail and residential facilities.
- 3.6 Colindale is currently undergoing intense redevelopment. The existing London Underground Station has been assessed by Transport for London (TfL) as being inadequate to cope with the increased population. Additionally, it currently does not have step free access to the platform.

- 3.7 The Council is working closely with TfL and the GLA to develop the new underground station. To create the required capacity and step free access, the new station is to be re-built over the existing tracks. TfL has indicated that it considers this to be better value for money than a refurbishment of the existing station.
- 3.8 The Colindale Station Supplementary Planning Document (SPD) was adopted by the Council in February 2019. The document sets out an approach for delivering a new station, with step free access and increased capacity as well as a residential, mixed use proposal. The new station will be equipped to serve anticipated population growth in the area. Specifically, the SPD;
- Establishes the policy and design context
 - Provides supplementary detail to existing policy
 - Explains how development will be delivered
 - Engages all existing stakeholders
- 3.9 In February 2019, TfL submitted a hybrid planning application that was approved by the Council's Planning Committee on 24th July 2019. The benefits include:
- a new station with increased capacity, step free access to and from platforms;
 - 313 new residential homes within 3 new tower blocks, (of which 130 units will be in the 3rd tower block located on the site of the 10 Properties/rear car park);
 - 46% of the new homes will be affordable, although only 8% of the total number of units (25 units) have been offered at London Affordable Rent, the remaining as shared ownership
 - Improved public realm;
 - 855 sq.m of floor space for A1/A2/A3/A4/A5 and D1/D2 uses
- 3.10 The planning application site comprises;
- Colindale Underground Station and associated infrastructure;
 - A retail unit fronting Colindale Avenue (located within the existing ticket hall building);
 - A surface car-park providing 25 car-parking spaces; and
 - 167 – 173 Colindale Avenue and flats 1- 6 Agar House, Colindale Avenue with the rear car park and sub-station.
- 3.11 TfL are the freehold owners of the existing station, retail unit, and surface car park. However, there is land currently in private ownership which is required to complete the proposed residential elements of the scheme. This land includes 167-173 Colindale Avenue, 1-6 Agar House and the car park and electricity sub- station at the rear of Agar House.
- 3.12 TfL have now appointed consultants, Avison Young, to commence Private Treaty negotiations with the existing owners

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

4.1 Limiting the project boundary only to land currently controlled by TfL would likely mean building a single building on the site of the existing ticket hall. Issues would arise surrounding the mix of tenures within the single building, as well as site servicing and complications of constructability. As the footprint of the carpark on the other side is too small to provide a viable housing floorplate of 5-6 units per level this would reduce the scheme to just the West Block equating to a 168-unit scheme. The other solution would be an overbuild or over-station development scheme (OSD) which has already been ruled out.

4.2 An OSD was ruled out due to funding, and programme complications arising from design coordination and construction sequencing. To maximise the amount of time the station would be in operation and to minimise any disruption to commuters, the best strategy was to separate the procurement and construction timelines of the station and residential development by avoiding linked or bridging building infrastructure.

4.3 **POST DECISION IMPLEMENTATION**

4.4 The Council and TfL will agree and sign the CPO Indemnity and Development Agreement and LBB will commence the detailed preparation for the CPO implementation, TfL have commenced the process of procuring a development partner to take forward the residential development. Although not required to make the CPO, a Reserved Matters Planning application will be made in spring 2020 by the selected partner to seek full consent for the residential development.

5.0 **IMPLICATIONS OF DECISION**

5.1 Corporate Priorities and Performance

5.1.1 The vision for 2020 expressed within the Council's corporate plan 2015- 2020 expresses the principles of fairness, responsibility and opportunity and the following strategic objectives;

- The council, working with local, regional and national partners, will strive to ensure that Barnet is the place of opportunity, where people can further their quality of life
- where people are helped to help themselves
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer

5.1.2 The plan proposes many achievements. Those particularly relevant to this initiative as follows;

- More involved and resilient communities, with residents taking on greater responsibility for their local areas
- There will be a broad offer of skills and employment programmes for all ages

- A clean and attractive environment, with well-maintained roads and pavements, flowing traffic, increased recycling
- A responsible approach to regeneration, with thousands of new homes built and job opportunities created
- Customer services will be intuitive and flexible

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 The cost of re-building the underground station and all related design and associated costs ('Project Costs') is estimated to be £26,514,000. Redrow is the major developer in the area and is currently re-developing the former Peel Centre site which is opposite the underground station. Redrow is making a significant contribution towards the redevelopment costs (£11.284m) by way of a S106 Agreement with the Council dated 23 December 2015. The Council has agreed to pay a total contribution of £2.975m as part of the Colindale Highways and Infrastructure approved Capital programme. TfL will also be providing a financial contribution of approximately £12.28m. In August 2018 the Council signed a funding agreement with TfL. In summary the station Project Costs will be funded from the following contributions:

Source	Funding contribution
Redrow s106	£11,284,000
LBB	£2,950,000
TfL	£12,280,000
Total	£26,514,000

5.2.2 The Council is working in partnership with the GLA and TfL. The GLA and TfL have an agreement whereby all CPO costs including the acquisition costs of the 10 Properties will be met in the first instance by the GLA. All the Council's CPO related costs will be met by TfL via a CPO indemnity agreement between LBB and TfL

5.2.3 The residential development will be funded in full by the development partner selected by TfL

5.3 Legal and Constitutional References

5.3.1 The terms of reference of the Housing and Growth Committee includes responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.

5.3.2 The Council has the power through various enactments to make a Compulsory Order and to apply to the Secretary of State (SOS) for confirmation of the order.

5.3.3 Town and Country Planning Act 1990 Powers

5.3.4 The power commonly used by local authorities is Section 226(1) (a) of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004. The section provides that a local authority shall, on being authorised to do so by the SOS, have power to acquire compulsorily any land in their area if they are satisfied that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. However, the power must not be exercised unless the authority thinks that the development is likely to contribute to the achievement of the economic, social and environmental well-being of the area.

5.3.5 The regeneration of Colindale meets these requirements, as this report explains. The council and TfL have sought early legal advice from Queens Counsel who reviewed the legislation and 2019 HMCLG good practice guidance. He confirmed that there is a more than 50% probability that the SOS will confirm a CPO in relation to the existing properties for the purposes of delivering the development

5.3.6 The third party proprietary interests to be included within the CPO will be set out in the Order Schedule following the completion of the land referencing exercise. However, the plan attached at Appendix 1 shows the proposed CPO boundary. The final boundary of CPO land required may vary from this boundary, but it provides an indication of the affected areas. The CPO Order Land largely comprises residential properties.

5.3.7 Section 13 of the Local Government (Miscellaneous Provisions) Act 1976

This section provides for the acquisition of new rights over land where such rights are not in existence when the order specifying them is made. In order to facilitate the delivery of the development it may be necessary to acquire new rights over the land for purposes such as crane over-sailing. The land over which the acquisition of new rights may be required is not yet confirmed, and will be confirmed following the requisitioning work. However, the plan attached at Appendix 1 shows the proposed CPO boundary. The rights required may fall outside this boundary, but it provides an indication of the affected areas.

5.3.8 In using the enabling powers pursuant to section 226 (1) (a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976, the Council is using the most specific powers available to it for the purposes of the redevelopment of Colindale Station and surrounding area.

5.3.9 Government guidance on the use of compulsory purchase powers is set out in “Guidance on Compulsory Purchase Process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion”

2019 (“DHCLG CPO Guidance”)The guidance states that compulsory purchase orders should only be made where there is a compelling case in the public interest.

5.3.10 In resolving to make this CPO the Council has had full regard to the DHCLG CPO Guidance. The regeneration of the Colindale Station area provides a compelling case for the making of the CPO and will deliver real and tangible social, economic, and environmental benefits: para 3.9 refers and below;

The Development will result in a significant improvement in the quality and capacity of Colindale station, for which there is a clear need;

The Development is needed in order to assist in achieving the delivery of existing and draft London Plan housing targets (including for affordable housing) for the Colindale/Burnt Oak Opportunity Area; the housing stock, in particular affordable housing, will be significantly increased, improving the environmental and social wellbeing of the area. Overall the regeneration project will also include training and employment opportunities for residents within the borough, as well as proposals for improved transport links, improved public realm, improving the economic, social and environmental well-being of the area.

In urban design terms, the Development will:

- significantly enhance the public realm around the station
- result in a more active frontage along Colindale Avenue
- create a better transition between the higher-density development to the west and the lower-density development to the east
- help to achieve a more cohesive identity for Colindale in the light of the levels of development that have taken place, and are still taking place, since the adoption of the AAP;

5.3.11 Human Rights

5.3.12 The Human Rights Act 1998 requires (amongst others) that every public authority acts in a manner which is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”). The following parts of the Convention are relevant to the Council’s exercise of its compulsory purchase powers:

5.3.13 Article 1 of the First Protocol – the right to peaceful enjoyment of possessions; Article 8 – respect for private and family life and home.

5.3.14 A decision to make this CPO must strike a fair balance between the public interest in the regeneration of the land and interference with private rights. Bearing in mind the fact that the exercise of compulsory purchase powers is a statutory process, the provisions for compensation to be paid to those affected and the compelling case in the public interest for the regeneration of the Colindale Station area, it is considered that the interference with private property rights is necessary, proportionate and strikes a fair balance towards meeting the Council’s objectives.

5.3.15 Those affected by the CPO will be informed and advised of their right to make representations to the relevant Secretary of State, to be heard at a public inquiry and of a fair entitlement to compensation (where applicable) thus ensuring consistency with Article 6: right to a fair hearing.

5.3.16 The Council's Constitution, Article 7 states the functions of the Housing and Growth Committee, includes responsibility for regeneration schemes and asset management.

5.3.17 The Council, Constitution, Article 10 Table A states that the Assets Regeneration and Growth Committee is responsible for authorising all acquisition of land for over £500k.

5.4 Risk Management

5.4.1 A CPO is essential if satisfactory private treaty acquisition of proprietary interests in the Property cannot be obtained. Whilst it is hoped that all interests in the Property can be acquired by negotiation, the Council's vision for the development of Colindale avenue may not be realised if negotiations are not successful. To avoid this potential risk, authority to make a CPO in respect of the properties will be sought in due course.

5.4.2 If a CPO is made and confirmed by the Secretary of State, the Council will be exposed to compensation from the owner of the Properties. If the owners of the Properties object to the making of the CPO the Council may also be exposed to the costs of a public inquiry. An indemnity agreement will be entered with TfL which provides for full reimbursement of Council costs in promoting and implementing the CPO, including all professional fees incurred to date. TfL will also continue their negotiations with the property owners to reach a point whereby the properties can be acquired without the need for CPO powers.

5.4.3 The CPO, when confirmed, ceases to be exercisable after the expiration of three years from the date of first publication of confirmation of the Order. However, it is anticipated that should the CPO be confirmed, it will be implemented as soon as possible in order that the Property can be vested in the Council before being transferred to TfL

5.4.4 There is a small risk that the Secretary of State consents could be refused. Lands will not be disposed of until consents are in place. If necessary the scheme would be revised and new consents sought. In mitigation of this risk the Council sought early advice from Queens Counsel (5.3.4 refers)

5.5 Equalities and Diversity

5.5.1 The Equality Act 2010 places a duty on the Council as follows:

(1) A public authority must, in the exercise of its functions, 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 relevant protected characteristics are—

age;
disability;
gender reassignment;
pregnancy and maternity;
race;
religion or belief;
sex;
sexual orientation.

- 5.5.2 This report has considered the Equality Act 2010 and how its proposals are designed to reduce the inequalities of outcome which result from socio-economic disadvantage. The Council is committed to improving the quality of life and wider participation for all the economic, educational, cultural, and social and community life within the borough. This is achieved by pursuing successful regeneration of the Borough's regeneration areas, in this instance Colindale. This benefits all sections of society by directly addressing the shortage of housing in the Borough across all tenures.
- 5.5.3 The Council is aware that within the Colindale Area there may be residents for whom English is a second language. The Council will offer a translation service when sending out CPO literature; additionally, all those affected will be advised to seek independent legal advice so they fully understand the CPO process.
- 5.5.4 All owners and/or residents within the CPO boundary will be affected by the Compulsory Purchase Order. The Council and its partners will endeavour to reduce this effect by extensive consultation. Consultation has and will continue to be undertaken with the residents and wider community to ensure that the Scheme reflects local needs. In this regard, a Partnership Board has been established who meet on a regular basis to discuss the regeneration proposals.
- 5.5.5 Having had due regard to its duty under the Equality Act 2010, the Council is confident that the delivery of the Scheme will contribute towards the social, economic, educational and cultural improvements for existing and future residents of Colindale. It will also increase levels of social inclusion within a mixed and diverse community.
- 5.5.6 An Equalities Impact Assessment(EQIA)was prepared as a supporting document for the Colindale Underground Station Supplementary Planning Document (SPD). The purpose was to ensure the proposed SPD for Colindale Underground Station integrated the best outcome for those affected by spatial development and mitigated any negative impacts, in respect of the protected characteristics defined by the Equality Act 2010.
- 5.5.7 A detailed assessment was undertaken which stated whether the proposals had a direct or indirect impact on groups with protected equality characteristics Furthermore, where a direct or indirect impact was identified an assessment was made how that group of people will were affected.

A further Equalities statement (attached at appendix 2) has been undertaken, focussed on the station re-development, to provide the council with the necessary information to assist in undertaking an EQIA and discharging its Public Sector Equality Duty with respect to both the grant of the planning application and the potential use of CPO powers. Attached to this is Barnet Council's Equalities Impact Assessment Form

5.6 Consultation and Engagement

- Consultation on the development proposals commenced in July 2018 with the Council's initial consultation for the SPD. The following list of key stakeholders was invited to a drop – in meeting to discuss the draft SPD;
- Residents associations
- Religious/spiritual groups
- Schools
- Landowners/developers
- Voluntary/community bodies
- Health bodies
- Business bodies
- Emergency and other organisations
- Ward Councillors

In total 13 people, mainly local residents, attended the drop-in; Further one to one meetings were held with residents from within the SPD area

5.6.1 This initial consultation was followed up with a six - week statutory consultation period commencing in October 2018 which comprised further drop – in sessions and leaflets/letters sent to 200 households in the immediate area. The SPD was finally approved by the council in February 2019

5.6.2 In November 2018 TfL carried out a consultation on its plans for up - grading the station and surrounding area. This formed the basis of the statement of community involvement which was included as part of the hybrid planning application. Consultation was carried out in accordance with national policy guidelines set out in the Government's national planning policy framework. Activities included;

- Leaflets sent to 11,725 local homes and 160 local businesses
- Creation of a consultation portal
- Letter/briefings to local stakeholders and politicians
- Two days of public exhibition at the RSF museum
- A total of 242 feedback forms returned, the majority supported the principle of re-development and improvements in the local area

5.6.3 In February 2019 TfL submitted a hybrid planning application which was subsequently approved by the Council in August 2019. A total of 2385 local residents were consulted on the planning application by letter on 12.03.2019. The application was advertised in the local press on 21 March 2019 and site notices were put up on site on 21 March 2019. As a result of the consultation,

a total of 45 responses have been received with 41 objections and 4 letters neither supporting or opposing the application. The consultation process carried out for this application was appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

5.6.4 Consultation has and continues to be undertaken with the owners and occupiers of the properties affected by the CPO as well as the wider community, to ensure that the station regeneration proposals reflect local need. TfL has commenced negotiations to acquire with all affected parties, and this will continue throughout the CPO process. Updates and information will also be available on the Council's web site. In addition, surveyors representing the Development Partners are regularly in contact with those affected, giving them the opportunity to discuss their particular issues or concerns relating to the CPO process.

6.0 Social Value

- The development of Colindale station brings with it a range of social value, including;
- Enhancement including new retail and transport opportunities within an area already designated as a local hub
- The creation of large scale local employment and training opportunities in a disadvantaged neighbourhood with disproportionately high levels of unemployment
- Major new housing, highways and other key infrastructure developments

7.0 BACKGROUND PAPERS

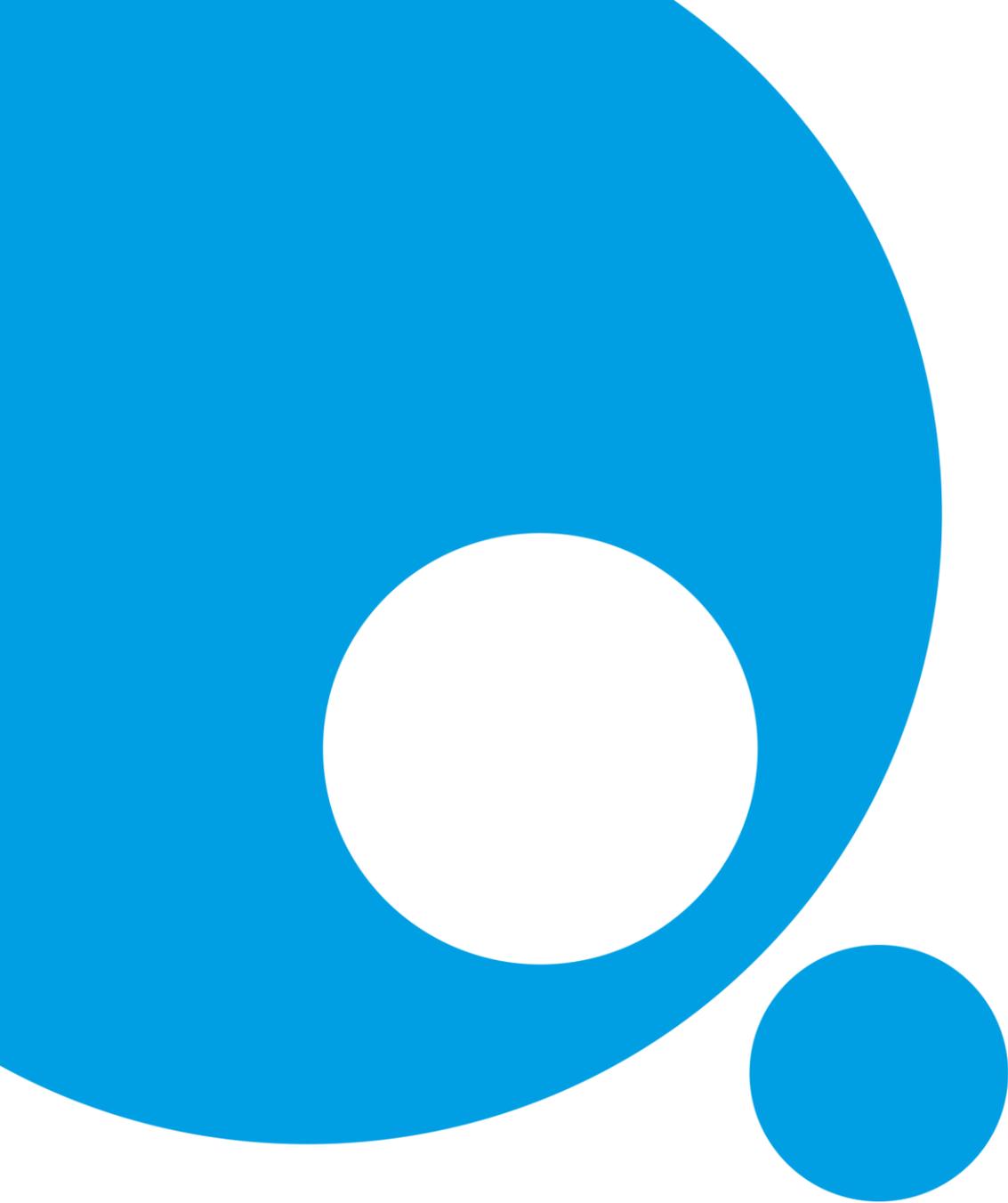
7.1 <https://engage.barnet.gov.uk/draft-colindale-underground-station-spd>



Promapv2
LANDMARK INFORMATION

Ordnance Survey © Crown Copyright 2020. All Rights Reserved.
Licence number 100022432
Plotted Scale - 1:500, Paper Size - A4

This page is intentionally left blank



EQUALITY STATEMENT

COLINDALE STATION REDEVELOPMENT

JANUARY 2020

QUOD

Ingeni Building | 17 Broadwick Street, London, W1F 0DE

Contents

1	Introduction	2
2	Public Sector Equality Duty	4
3	Methodology	7
4	Baseline	9
5	Equality Statement (including Mitigation)	15
6	Conclusions	22
	Appendix 1: Baseline Summary Tables	24
	Appendix 2: London Borough of Barnet Equalities Impact Assessment Form	29

1 Introduction

- 1.1 In February 2019 Transport for London (TfL) (the Applicant) submitted a planning application to the London Borough of Barnet (LBB) (ref: 19/0859/OUT). This application seeks permission for the redevelopment of Colindale LUL Station and adjacent land (the development site) in order to upgrade and improve the station and generate over 300 new homes, half of which will be affordable. Commercial uses and associated public realm works are included within the design.
- 1.2 The proposals were developed over the course of a year and with the benefit of pre-application meetings with LBB and the GLA, as well as public consultation.
- 1.3 In July 2019 LBB's planning committee approved the application, subject to referral to the Mayor of London, to the satisfactory completion of the Section 106 Agreement, and to the conditions outlined in the committee report.
- 1.4 The committee report details that officers have had regard to the requirements of Section 149 of the Equality Act 2010 in considering the application, concluding that a decision to grant permission complies with the Council's statutory Public Sector Equality Duty (PSED).
- 1.5 The development is within the area covered by the Colindale Station Supplementary Planning Document (SPD)¹. Given the range of ownership within the SPD area, land assembly will be required. The Council anticipates that this process will be carried out via negotiations and private treaty where practical. In cases where there is a compelling case in the public interest, the Council will consider the use of its compulsory purchase powers to assemble sites within the SPD area. For the Council to promote a Compulsory Purchase Order or series of CPOs, any CPO Scheme will (in accordance with current CLG guidance on CPO) need to fit with the planning policy framework and deliver economic, social or environmental well-being to the area. The Council will also need to be satisfied that any CPO scheme proposals would be viable, fundable and deliverable. The SPD is supported by, amongst other documents, an Equalities Impact Assessment (EqIA).
- 1.6 Therefore, the Council has already discharged its PSED through two stages of decision making on this development. This Equality Statement is intended to provide the Council with the necessary further information to assist it in undertaking an Equality Impact Assessment and discharging its PSED with respect to the potential use of CPO powers. While the CPO affects only a portion of the site, this EqS looks at the development in the round. The matter specifically relevant to the CPO is the displacement of existing residents through the acquisition of homes.
- 1.7 The structure of this document is as follows:
 - Section 2 sets out the local and national legislative and policy context of The Public Sector Equality Duty.
 - Section 3 sets out the Methodology for this Statement.
 - Section 4 sets out the baseline conditions on the Site and in the surrounding area, with particular focus on data relevant to protected characteristics, where this is available.
 - Section 5 considers the detail of the scheme – both in construction and when completed – to identify potential disproportionate or differential equality effects.

¹ London Borough of Barnet Council, 2019. The Colindale Station Supplementary Planning Document. Para 5.3.2

- Section 6 draws together the overarching conclusions of the report.
- Appendix 1 includes the Baseline Summary Tables.
- Appendix 2 includes the London Borough of Barnet Equalities Impact Assessment Form.

2 Public Sector Equality Duty

Legislative Context

- 2.1 The Equality Act 2010 forms the basis of anti-discrimination law in Great Britain. Section 149 of the Act requires public authorities to have due regard to equality considerations when exercising their functions, including decision making on planning applications and when exercising Compulsory Purchase rights. This Public Sector Equality Duty (PSED) includes the need to:
- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic 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. The need to foster good relations involves having due regard to the need to tackle prejudice and promote understanding.
- 2.2 Section 4 of the Equality Act 2010 sets out a number of ‘Protected Characteristics’ which are covered by the Act:
- Age
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
 - Marriage and civil partnership (with respect to discrimination in employment)
- 2.3 The need to advance equality of opportunity includes the need to (as set out in Section 149 (3) of the Act):
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are not connected to that characteristic;
 - Take steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of persons who do not share it; and,
 - Encourage people from people who share a protected characteristic to participate in public life or in any other activities where their participation is disproportionately low.
- 2.4 The Act does not specifically require an Equality Impact Assessment nor define how it should be carried out. The PSED is to have “due regard” to the requirements of the Act. This Equality Statement is submitted to inform the consideration of the approved development and the progression of a CPO application, to facilitate the fulfilment of the PSED by the local authority.

LB Barnet Strategic Equality Objective

- 2.5 In exercising their duty under the Equality Act 2010, public authorities are required to prepare and publish one or more equality objectives to help further the three aims of the PSED.

LBB Equalities Policy (2014)

- 2.6 LBB's Equalities Policy seeks to ensure that decision making includes issues regarding equality as a material consideration and that there is an awareness of any disproportionate impact on any particular group. The Equalities Policy makes a commitment to (amongst other matters):

"Keep Barnet as a good place to live work and study where every Barnet citizen has the opportunity to live, work and study in a safe environment free from harassment and discrimination" (page 2)

- 2.7 LBB's Strategic Equalities Objective (SEO) (adopted 2018) is that citizens will be treated equally, with understanding and respect, and will have equal access to quality services. The SEO forms part of the Corporate Plan (Barnet 2024) which outlines how LBB will work with residents and businesses to deliver:

- *"A pleasant and well-maintained borough that we protect and invest in;*
- *Our residents live happy healthy and independent lives with the most vulnerable protected;*
- *Safe and strong communities where people get along well"*

Colindale Underground Station Supplementary Planning Document (2019)

- 2.8 In February 2019 LBB adopted the Colindale Underground Station Supplementary Planning Document (SPD). This document sets out LBB's detailed design requirements and the scale of development which will be supported in relation to the new station and the associated development.

- 2.9 The SPD is supported by, amongst other documents, an Equalities Impact Assessment (EqIA). The EqIA together with the Sustainability Appraisal assesses the equalities, economic, environmental and social implications of the SPD which will be adopted as part of LBB's Local Plan.

- 2.10 The findings of the EqIA include:

- The SPD will have a positive impact within the Colindale SPD area and on local residents as it seeks to bring about sustainable growth and development that is of a high-quality design;
- It is not envisaged that people with one particular protected characteristic will be impacted upon more than another as a result of the SPD, however, particular attention should be given to sections in the community that have higher than average statistics within the Colindale ward through continued monitoring.

- 2.11 Specifically in relation to Protected Characteristics, the EqIA notes:

- New homes will be required to meet Lifetime Homes standards under planning policy, with 10% of homes built to be wheelchair accessible. This would bring slightly higher positive benefits to elderly people who have reduced mobility, in relation to the Protected Characteristic of age. Improved public realm and permeability may also benefit those with mobility issues;
- The delivery of step-free access to the Underground and improvements to the streetscape including removing unnecessary street furniture, and widening footways, will have a positive impact on pedestrians, including those who are pregnant and those with pushchairs, in relation to the Protected Characteristic of pregnancy and maternity;

- The provision of wheelchair accessible or adaptable units, and public realm improvements including step-free access, may benefit those who are less able bodied, in relation to the Protected Characteristic of disability;
- No impacts are identified for the following Protected Characteristics: gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

3 Methodology

Approach

- 3.1 Everyone affected by a development will have some protected characteristics under the Act (such as age, race and sex), and they will not all be equally affected. That does not, however, necessarily constitute an equality effect.
- 3.2 To identify which effects are relevant to equality, a growing body of practice in equality assessment has distinguished equality impacts as those that have either Disproportionate or Differential effects, as explained below:
- **Disproportionate:** there may be a disproportionate equality effect where people with a particular protected characteristic make up a greater proportion of those affected than in the wider population.
 - **Differential:** there may be a differential equality effect where people with a protected characteristic are affected differently to the general population as a result of vulnerabilities or restrictions they face because of that protected characteristic.
- 3.3 The scale and significance of such impacts cannot always be quantified. It is common for equality assessment to address this through descriptive analysis of impacts and identifying whether such impacts are adverse or beneficial.
- 3.4 In the context of development, some impacts are inherently more difficult to quantify, or for a planning consent to directly control. For example, some effects may depend on how people respond to a development in future (e.g. effects of traffic, employment or accommodation), which can only be modelled and forecast, not directly measured in advance. For this reason, the EqS can only consider effects that can reasonably be foreseen as likely and significant.
- 3.5 Any policy decision taken by a public body may involve a need to consider and balance a range of both positive and negative effects of different types. There may be reasonable mitigation measures that can eliminate or reduce some disproportionate or differential equality impacts, but such impacts may not always be avoidable. Consideration can be given to whether there are alternative approaches that could alleviate or mitigate the impact of a decision. The PSED is to give due regard to all equality considerations, in accordance with the Act, and attribute appropriate weight to such considerations. Equality impacts should be a consideration in the balance when determining the application, alongside the benefits arising from the Development.

Methodology

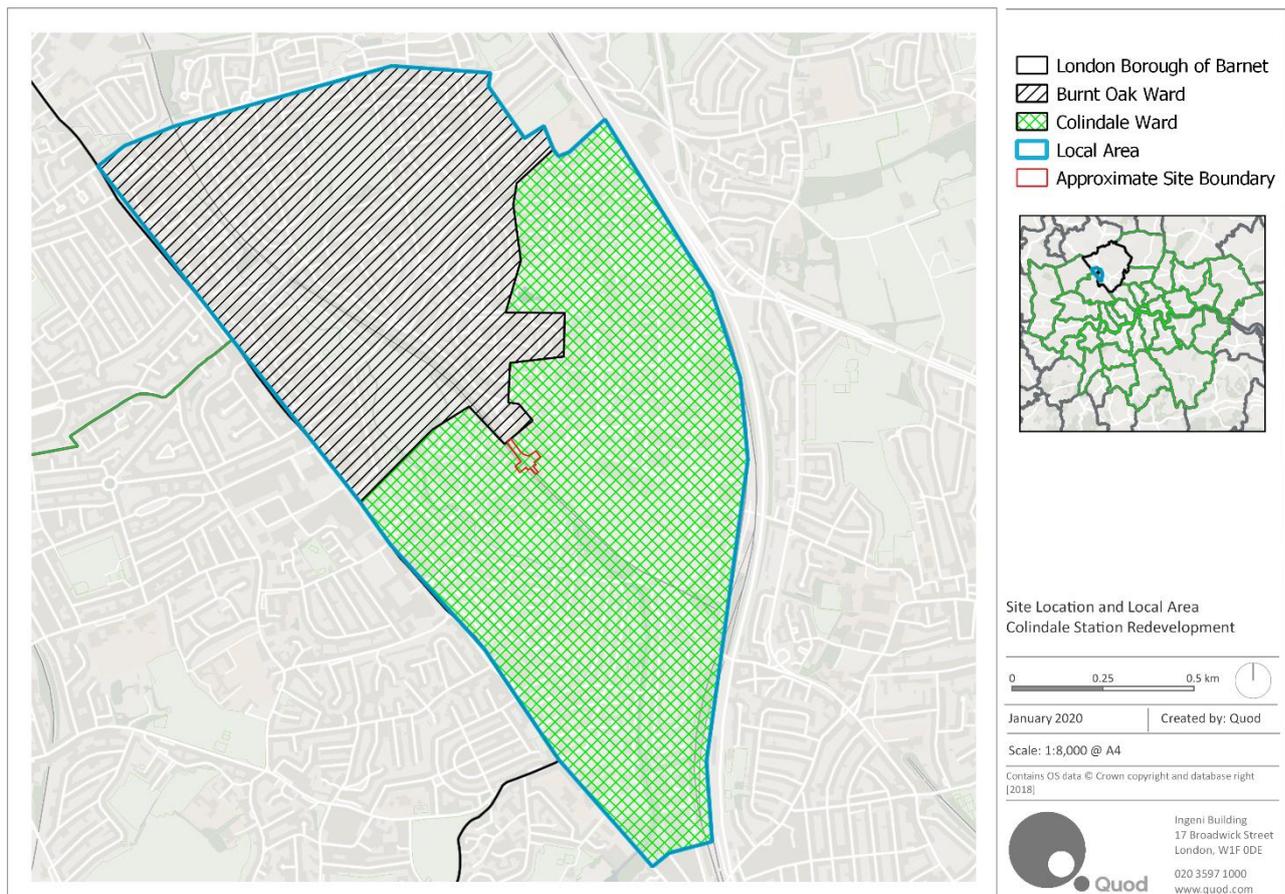
- 3.6 This EqS has been informed by the following datasets and information sources:
- Desktop analysis of nationally recognised demographic datasets including:
 - Census 2011
 - Annual Population Survey 2019
 - Public Health England – various datasets
 - Department of Health 2019
 - Office for National Statistics – various datasets
 - GLA – various datasets

- Review of the planning application – with particular reference to the Design and Access Statement and Statement of Community Involvement;
- Discussions with, and information from, the Applicant in respect of the existing occupiers of the Site to which the application relates; and
- Consideration of mitigation and management of effects in relation to embedded design measures, the S106 Head of Terms, and draft conditions to the committee report including those relating to construction.

4 Baseline

- 4.1 This section of the EqS identifies information regarding existing occupiers of the Site as well providing information on those immediately surrounding the Site in terms of protected characteristics.
- 4.2 The Site is in the western portion of Colindale ward, close to the boundary with Burnt Oak ward to the north west. Given the location of the Site on the border of two wards, the 'Local Area' comprises the Colindale ward and Burnt Oak ward for the purposes of this baseline. The demographic profile of the Local Area is examined and presented in the context of the wider borough (LB Barnet) and regional (London) population profiles. Figure 4.1 sets out the areas considered within the baseline of this EqS.

Figure 4.1: Spatial Study Areas



- 4.3 A summary of the baseline data at each spatial scale is set out in Appendix 1.
- 4.4 The Site is in the Colindale Opportunity Area which has experienced a substantial increase in residential-led development over the past decade, supported by the Colindale Area Action Plan (AAP) (2010). The Colindale AAP identifies a minimum target of 10,000 homes within the AAP area. The baseline is prepared using the most up to date, robust data but should be interpreted in the context of an anticipated substantial increase in residents, workers, and users of Colindale LUL station over the coming years.

Existing Site Uses

- 4.5 The 0.76 ha Site is bounded by Colindale Avenue to the south-east, a pedestrian footway and the Colindale Hospital redevelopment to the west, the rear garden of a residential property on Aeroville and the Northern Line (Edgware Branch) London Underground Limited (LUL) lines to the north, and the residential properties and gardens of Pasteur Close to the east.
- 4.6 The Site comprises Colindale LUL station and associated infrastructure; a retail unit facing Colindale Avenue (located within the ticket hall); surface level parking for 25 car spaces to the east of the station; and further to the east, eight residential properties (167-173 Colindale Avenue and flats 1-6 Agar House).
- 4.7 These residential properties are not within Transport for London's (TfL) ownership, but are included within the red line following discussions with LBB, whose aspiration is to bring forward a comprehensive redevelopment of the site, as set out in the Colindale Station SPD.
- 4.8 The Site supports employment within Colindale LUL Station, including the kiosk.
- 4.9 The Site is surrounded mainly by residential accommodation, comprising a mix of new build apartment buildings, including to the west and south, and older, mid-to-late twentieth century properties to the east. The Hospital site development is located to the west; the British Library development is located to the south; and the Peel Centre development is located to the east. These developments have cumulatively increased the population in the catchment area of the LUL station.

Population

- 4.10 There are ten residential properties within the Site boundary. These properties are home to a small number of people, estimated at fewer than 20.
- 4.11 Data from the 2011 Census indicates a total resident population in the Local Area of 35,315 people, with 356,386 residents in LBB and 8,173,941 residents across London.
- 4.12 The population of the Local Area grew by 21% between 2001 and 2011. This is much higher than the population growth in LBB (13%) and London (14%) over the same period. Between 2011 and 2031, the GLA forecasts the population of the Local Area to grow by 64%, and notably 123% in Colindale ward. This is almost double the forecast population growth of 23% in LBB and across London over the same period, which reflects the planning policies supporting growth, outlined above.

Age

- 4.13 The exact age profile of the existing residents within the development site is not known, although the Applicant is aware that the existing residents do include older people and may include children.
- 4.14 The working age population of the Local Area is 73%, which is the same proportion as that found in LBB. This is slightly lower than the London wide population of 75%.
- 4.15 The largest age group of working age is age 30-44, representing 24% of the Local Area population. This is also the largest age group of working age in LBB (24%) and London as a whole (25%). The second largest group is age 45-59, representing 16% of the Local Area population. Again, this is in line with that of LBB (18%) and London as a whole (17%).

- 4.16 The proportion of residents aged 0-15 is 23% in the Local Area, which is higher than the proportion in LBB (21%) and across London (20%). 39% of households in the Local Area have dependent children, which is higher than the LBB (33%) and London (31%) averages.
- 4.17 The proportion of residents aged 75+ is 4% in the Local Area, which is lower than the proportion in LBB (7%) and across London (5%).
- 4.18 Over the period of 2011 to 2031, the population aged 0-15 is forecast to increase by 43% in the Local Area, compared to 12% in LBB and 17% across London; the population aged 16-74 is estimated to increase by 68% in the Local Area, compared to 22% in LBB and 18% across London; and the population aged 75+ is estimated to increase by 119% in the Local Area, compared to 66% in LBB and 56% in London.

Gender

- 4.19 The gender split of the Local Area is 48.2% male and 51.8% female. This is broadly in line with the gender split for LBB, which is 48.5% male and 51.5% female. This gender split is slightly more weighted towards females compared to the London gender split of 49.3% male and 50.7% female.

Marriage and Civil Partnership

- 4.20 According to the 2011 Census, 41% of residents in the Local Area are single (having never married or registered a civil partnership), with 42% married. This is largely in line with the London-wide trend where 44% of residents are single and 40% are married. In LBB, a lower proportion of residents are single, at 37%, with a higher rate of marriage at 47%.
- 4.21 The proportion of residents in a civil partnership is less than 1% across the Local Area, LBB and London.
- 4.22 The proportion of residents who are separated, divorced, formerly in a civil partnership, or widowed is largely the same across the three spatial scales, at 17% in the Local Area and 16% in LBB and London.

Gender Reassignment

- 4.23 A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex (The Equality Act, 2010). To be protected from gender reassignment discrimination, one does not need to have undergone any specific treatment or surgery to change from your birth sex to one's preferred gender. This is because changing your physiological or other gender attributes is a personal process rather than a medical one. You can be at any stage in the transition process – from proposing to reassign your gender, to undergoing a process to reassigning your gender, or having completed it (as per the Equality and Human Rights Commission).
- 4.24 There is no comprehensive data collected on gender reassignment in England and it is difficult to collect such data as people who have undergone (or are undergoing) gender reassignment may identify as male or female or may identify themselves using another term.

4.25 In 2009, the ONS appraised the capability of collecting reliable gender reassignment statistics. It concluded that further work was needed to develop robust statistics in this area².

Sexual Orientation

- 4.26 A person's sexual orientation includes their sexual behaviour, sexual attraction and sexual identity.
- 4.27 Sexual orientation is a Protected Characteristic to allow individuals to choose how to express their sexual orientation without discrimination. This includes discrimination in the provision of goods, facilities and services on grounds of sexual orientation.
- 4.28 Discrimination towards sexual orientation is possible in various forms including: discrimination arising from one's self-perceived sexual identity; one's perceived sexual orientation (discrimination by perception); or one's links to other individuals and their sexual orientation (discrimination by association)³.
- 4.29 There is no comprehensive data collected on sexual orientation in England.
- 4.30 In 2009 the ONS appraised the capability of collecting robust sexual identity statistics⁴. It advised that in order to gather data on sexual orientation a suite of questions would be required, where sexual identity was identified as one component of sexual orientation for which data may be collected.
- 4.31 There is experimental data on sexual identity available from the ONS. This data is based on social survey data from the Annual Population Survey which collects information on self-perceived sexual identity from the household population (aged 16 and over). This is currently only available at regional level.
- 4.32 The latest data for 2017 indicates 2.6% of residents in London identify as gay, lesbian or bisexual, compared to 2.0% across the UK.

Ethnic Profile

- 4.33 The 2011 Census shows that London is highly ethnically diverse. 60% of residents identify as White, 18% as Asian/Asian British, 13% as Black/African/Caribbean/Black British, and 8% as Mixed/Multiple Ethnic Groups or Other Ethnic Group.
- 4.34 In the Local Area, 43% of residents identify as White, which is higher than the proportion in LBB (36%) but lower than the London average. In the Local Area 27% of residents identify as Asian/Asian British, which is lower than the proportion in LBB (34%) but higher than the London average. In the Local Area 18% of residents identify as Black/African/Caribbean/Black British, which is similar to the average in LBB (19%).

² Trans Data Position Paper. ONS, May 2009.

³ As per the Equality and Human Rights Commission Guidance.

⁴ Measuring Sexual Identity: A Guide for Researchers. ONS, April 2009.

Country of Birth

- 4.35 The 2011 Census also captured country of birth. 63% of London's residents were born in the UK; 11% were born in Europe; 12% were born in the Middle East and Asia; 8% were born in Africa; and 4% were born in the Americas and Caribbean.
- 4.36 Of residents in the Local Area, 50% were born in the UK, which is slightly higher than the LBB average (45%) and lower than the London average. 13% of residents in the Local Area were born in Europe, which is commensurate with the proportion in LBB (13%). Compared to LBB, a similar proportion of Local Area residents were born in Africa (12% versus 11%), and the Middle East and Asia (19% versus 22%). Compared to both LBB and London as a whole, a small proportion of residents were born in the Americas and Caribbean (2%).
- 4.37 At a more granular level in the Local Area, 4% of residents were born in India and Romania respectively. In comparison, in LBB 9% of residents were born in India and 2% were born in Romania, compared to a London average of 3% and 1% respectively.

Language

- 4.38 The 2011 Census defines an individual's 'main language' as 'a person's first or preferred language'.
- 4.39 In the Local Area, 65% of residents speak English as their main language, which is lower than the proportion in LBB (77%) and London as a whole (78%). A slightly higher proportion of Local Area residents speak an EU language (12%) compared to in LBB (9%) and London (8%). A higher proportion of Local Area residents speak an Asian language (16%) compared to residents in LBB and London (both with an average of 10%).
- 4.40 In the Local Area, besides English, commonly spoken languages include Romanian (4% of residents consider it their main language), Polish (3%), and Gujarati (3%).

Religion and Belief

- 4.41 According to the 2011 Census, 80% of the Local Area's residents proactively identify themselves as belonging to a religion, which is higher than in LBB (76%) and London as a whole (71%).
- 4.42 In the Local Area, 48% of residents consider themselves Christian, which is the same proportion across London and higher than in LBB (41%). 9% of residents consider themselves Hindu and 19% Muslim, which are both higher proportions than the averages for LBB (6% and 5% respectively) and London (10% and 12% respectively). The Jewish population of the Local Area is 1% of residents, which is commensurate with the London average (2%) but much lower than the LBB average of 15%.

Health and Disability

- 4.43 The 2011 Census asked residents to carry out a self-assessment of their general state of health. Residents were asked whether their health was 'very good', 'good', 'fair', 'bad', or 'very bad'. 83-84% of residents at all spatial scales recognised themselves to have 'very good or 'good' health.
- 4.44 Residents in the Local Area reported similar health assessments as those across LBB and London, with 11% identifying 'fair' health, 3-4% identifying 'bad' health, and 1% identifying 'very bad' health.

- 4.45 Residents in the Local Area reported similar long-term health problems or disabilities as those across LBB and London, with 14% identifying that day-to-day activities are limited a little or a lot.
- 4.46 Premature mortality rates are provided on an annual basis by Public Health England. This data is not available at ward level but it tells us that there were 245 premature deaths per 100,000 in LBB compared to 310 across London.

Maternal and Infant Health

- 4.47 There are no detailed statistics on the number of local people who are pregnant, which of course will vary over time. The GLA has published general fertility rates (live births per 1,000 women of reproductive age, 15 to 44, in a population, per year). The latest available data shows that in 2019 the general fertility rate in LBB was 6.3, which is slightly higher than the rate across London of 60.1. Ward level data is no longer collected for this indicator.
- 4.48 The infant mortality rate (the number of infant deaths within one year, per 1,000 live births) for LBB is 2.2, which is lower than the average rate across London of 3.3.

Employment

- 4.49 Levels of employment in the Local Area are comparatively low compared to the borough and London as a whole. The Local Area has a rate of 68% of economically active residents, compared to LBB (71%) and London (72%).
- 4.50 The 2011 Census provides data on those who are economically active but unemployed. This describes individuals who are currently out of work but are actively seeking employment. The unemployment rate is higher in the Local Area, at 6% (it is 4% in LBB and 5% across London).
- 4.51 The Claimant Count data is available for November 2019 and identifies that 3.2 people per 100,000 in the Local Area are claiming Jobseeker's Allowance / Universal Credit for the principle reason of being unemployed, compared to 3.0 per 100,000 across London and 2.5 per 100,000 in the local borough. At each spatial scale, residents aged 25 and above represent the majority of those claiming these benefits.
- 4.52 The Census identifies the highest level of qualification achieved by residents. In the Local Area, 28% of residents have achieved further or higher education, which is far lower than the LBB and London averages (40% and 38% respectively). Attainment of GCSEs and A-levels by residents in the Local Area is commensurate with residents across LBB and London (around 22%). A higher proportion of residents have attained 'other' qualifications (15%), compared to the LBB and London averages (11% and 10% respectively).
- 4.53 People with some particular Protected Characteristics may be disproportionately represented in terms of barriers to accessing work, skills and qualifications. These barriers can result from issues relating to language, cultural factors, family requirements and the need for flexible and/or part-time work. Young people, older people, family carers and ethnic minorities tend to have disproportionate challenges accessing employment because of these factors.
- 4.54 Black and Minority Ethnic (BAME) people account for a disproportionately high share of London's job seekers – two thirds of all job seekers are from ethnic minorities (whereas BAME account for 40% of London's overall population).

5 Equality Statement (including Mitigation)

- 5.1 The main objective of an Equality Statement (EqS) is to ensure that policies and programmes are implemented fairly, particularly with regard to their impact on the Protected Characteristics identified in Section 2 of this Statement.
- 5.2 There are ways in which a development could potentially impact on Protected Characteristics, individuals or groups with Protected Characteristics. These include:
- Displacement of existing uses / users, including existing businesses, employees and residents;
 - The construction phase – an impact on amenity could disproportionately affect some people with particular Protected Characteristics in the absence of mitigation, particularly older people and disabled people;
 - The operational phase – the delivery of new housing and jobs;
 - Design and physical elements of the scheme.
- 5.3 In order to consider the impact of the proposals on equality, a range of information sources has been used including application documentation, baseline analysis (as set out in the previous section), and discussions with the Applicant and the project team.
- 5.4 The CPO only relates to land with residential use and two substations and associated curtilage.

The Development

- 5.5 Planning permission for the Site was approved in July 2019, subject to referral to the Mayor of London, to the satisfactory completion of the Section 106 Agreement, and to the conditions outlined in the committee report. Permission was approved for:

Hybrid planning application for comprehensive redevelopment of the site comprising full planning permission involving demolition of existing buildings to provide a replacement railway station ticket hall building with step free access (Sui Generis) and associated public realm works. Outline planning permission for residential development (C3), and flexible A1/A2/A3/A4/A5 and B1/D1/D2 uses (all matters reserved apart from access).

- 5.6 Full planning permission has been approved for:
- A replacement London Underground Station for Colindale;
 - A retail unit (A1) of 126 sqm;
 - Associated site preparation / enabling works; and
 - Landscaping and access works associated with the station.
- 5.7 The phasing plan submitted as part of the application sets out that the detailed component of the redevelopment of the station ticket hall will be undertaken first, followed by subsequent phases of residential and commercial development to the west and east. These are approved in outline, and include:
- Up to 22,902 sqm (GIA) residential (C3) floorspace (indicative quantum of 313 new dwellings);
 - Up to 860 sqm (GIA) flexible A1/A2/A3/A4/A5 and B1/D1/D2 uses;

- Associated site preparation/enabling works;
- Wider landscaping works; and
- Transport infrastructure and car parking.

5.8 This EqS covers both the detailed and outline components of the application but only the detailed proposals provide specific information on proposed uses. This impacts the level of detail available when assessing elements of the outline components of the scheme. The development allows for a range of uses and flexibility, and a detailed phasing plan has not yet been settled. The EqS therefore sets out the potential effects that may need to be considered as the development evolves. As set out above, the CPO only relates to land currently in residential use (and two substations which have no relevance to the assessment of equality).

Existing Uses/Users

Residential Uses and Users

- 5.9 As noted in the Baseline section of this EqS, the development Site includes eight residential properties. A number of occupiers are therefore resident on the Site today – estimated at fewer than 20 people.
- 5.10 Equality effects can arise from the acquisition of residential properties where Protected Characteristics amongst the occupants and/or occupiers would be disproportionately or differentially affected by the acquisition and the need to find a new home. The CPO Promoter (the Applicant together with the Council) is aware that the existing residents do include older people and may include children. The Promoter is not aware of any resident that has a disability that could mean they are likely to be disproportionately affected by moving house. However, affected parties may have other Protected Characteristics which have not been identified or disclosed or which residents may not wish to disclose.
- 5.11 The Promoter has instructed Avison Young’s specialist site assembly and compulsory purchase team to undertake negotiations to acquire freehold interests, leasehold interests and negotiate any claims relating to third party rights. All owners and occupiers are encouraged to instruct their own specialist adviser with the reasonable costs reimbursed by the Promoter.
- 5.12 When undertaking negotiations to acquire leasehold interests an early part of the process involves identifying any Protected Characteristics. The appointed surveyor then ensures these are taken into account when undertaking negotiations. The Promoter is committed to ongoing engagement to ensure residents are fully up to date on proposals and project timescales and to ensure that they have sufficient time and information to plan their relocation.
- 5.13 The Promoter will continue to provide updates to these residents as the scheme develops, through the application for detailed consent and through to compulsory acquisition. This process allows occupiers to plan for their future, with sufficient time and notice of the plans for the redevelopment of the Site.
- 5.14 The Promoter has considered the value of the affected properties and the other heads of claim that the owners will have access to in a compulsory purchase context. These heads of claim entitle landowners to claim the market value of the home to allow them to purchase a replacement home of equivalent value, together with reimbursement of the associated costs such as removals or Stamp Duty and they are also provided with a Statutory Loss payment. Having considered the value of the properties affected, the Promoter considers that the landowners will be able to acquire suitable alternative dwellings on the general market. Consequently there is no need for a shared equity scheme. Certain cases may arise where parties with protected characteristics require a dwelling in

close proximity due to the need to access certain services or infrastructure. If such a case arises the Promoter will take account of the case specific details as part of the negotiation process.

Commercial Uses and Users

- 5.15 A kiosk is located within the Colindale LUL station building. It is anticipated that this business will continue to operate until the development of the station building commences.
- 5.16 Equality effects can arise from business relocations where Protected Characteristics amongst the owners, staff or customers of those businesses would be disproportionately or differently affected by the termination of leases or relocation of businesses within the Site or elsewhere.
- 5.17 The Applicant has informed the kiosk owners/operators of the proposals. The lease for the use will be terminated in accordance with the terms of that lease. The Applicant commits to continue engaging with the owners/operators of the kiosk so that they can plan for their future, with sufficient time and notice.
- 5.18 The kiosk caters to a wide range of customers, mostly those using the station, such as local people, visitors and day-to-day commuters. This does not suggest that any Protected Characteristics, or individuals or groups with Protected Characteristics will be disproportionately or differently disadvantaged by the displacement of this business, or from the relocation of this business to an equivalent space elsewhere.

Construction Phase

- 5.19 The construction period has the potential to impact on the amenity of local residents and workers due to, for example, noise, vibration, and dust. Some of these effects could disproportionately affect people with some particular Protected Characteristics in the absence of appropriate mitigation. For example, some, including older people, young children, or those with limiting disabilities or illness may spend longer at home and are therefore more likely to be affected by day-time noise disturbance. Others including pregnant women, children in pushchairs, older people, or those with disabilities that affect mobility, can be differentially affected severance, whether caused by traffic or changes to surfacing and pedestrian routes.
- 5.20 These potential effects will be identified through a full Delivery and Servicing Management Plan, a Demolition and Construction Management and Logistics Plan, and a Construction Method Statement, secured by condition.
- 5.21 These documents will set out, amongst other matters:
- How any impact of construction and delivery services will be controlled and minimised;
 - That construction staff parking will be provided within the site and managed with controls to ensure that overspill parking at non-restricted parking areas is avoided;
 - There will be no construction works will take place before 8am and after 6pm on weekdays, before 8am and after 1pm on Saturdays, and at any point on Sundays;
 - Community liaison and communication with local people, alongside a complaints procedure and point of contact;
 - Traffic and transport measures which address matters including safety, access and timing; and

- Environmental controls relating to matters such as noise and vibration exposure and dust management.
- 5.22 The main contractor will register the development with the Considerate Constructor's Scheme (CCS). This means the Site will be monitored against a five point Code of Considerate Practice, designed to encourage performance beyond statutory requirements in the following areas: care about appearance; respect the community; protect the environment; secure everyone's safety; and value their workforce.
- 5.23 The code of practice includes being considerate to the needs of all those affected by the construction process with special attention given to the needs of individuals with sight, hearing or mobility difficulties.
- 5.24 TfL will manage the station closure or service disruption to minimise the impact on access to train services as much as possible. The exact strategy for service continuity is still to be determined but is likely to include rail replacement services including supplementary bus services.
- 5.25 The construction phase will generate construction jobs and may provide opportunities for entry-level training and employment for local people.
- 5.26 Overall, any effects on amenity of the construction phase will be temporary. These effects, including those which might disproportionately or differentially affect people with particular Protected Characteristics, will be monitored and mitigated / minimised as far as possible throughout the construction period in accordance with the commitments outlined above.

Operational Phase

New Homes

- 5.27 The outline permission allows for up to 22,902 sqm (GIA) residential floorspace, which could indicatively provide 313 new dwellings. The precise number of units, sizes and tenures will be the subject of a detailed planning application in due course, although the Applicant has committed to delivering 50% affordable housing on site. On the basis that residential floorspace is provided at the order of magnitude approved, the development would be beneficial in the context of LBB's housing needs and planning policy requirements.
- 5.28 Access to affordable, good quality housing is essential for building sustainable and balanced communities particularly in areas experiencing affordability issues. It can also help to reduce inequalities amongst more vulnerable people. The availability of affordable housing, including intermediate options, is of particular importance to vulnerable people who are often in the greatest need. This can include those with particular Protected Characteristics – wider socio-economic factors mean that beneficiaries of affordable housing can include, amongst others, those with disabilities, the elderly and young people, and a range of ethnicities.
- 5.29 It is proposed for 10% of dwellings to be adaptable to wheelchair standards, and ten Blue Badge parking spaces will be provided for the use of disabled residents, in line with GLA and statutory requirements. This provision will assist with meeting the needs of those with disabilities
- 5.30 Overall, access to new housing will provide new homes for people with a range of Protected Characteristics.

Additional Jobs

- 5.31 The outline permission allows for up to 860 sqm (GIA) flexible A1/A2/A3/A4/A5 and B1/D1/D2 uses. This includes a range of uses such as retail, food and drink, business operations, public services, and leisure. The precise floorspace and uses to be provided on Site will be the subject of a detailed planning application in due course.
- 5.32 The Baseline section details that the Local Area has a comparably higher level of unemployment and lower level of employment, compared to LBB and London averages. The profile of qualifications held by residents in the Local Area is also typically at a lower level compared to at other spatial scales.
- 5.33 It can be expected that the Development will offer employment opportunities across different skill levels. Taking account of the uses provided, the proposals could potentially generate opportunities for young people, part-time workers, and people with entry-level skills or those coming back to work after a period of unemployment. As such, a proportion of the opportunities arising from the development could align with the employment needs of local residents including those with specific Protected Characteristics.
- 5.34 The recruitment for new jobs created by both the construction and operation phases of the development would be required to be undertaken on a non-discriminatory basis in accordance with legal requirements of Part 2 and Part 5 of the Equality Act 2010. This includes the legal obligation not to discriminate on the basis of age, disability, gender reassignment, pregnancy and maternity, race, religious belief, sex, or sexual orientation.

Design and Physical Elements of the Scheme

- 5.35 The way in which the built environment (i.e. both the buildings and the space between them) is designed and constructed can have a significant impact on the way in which people interact with and are able to use it.
- 5.36 The Design and Access Statement (DAS) prepared as part of the planning application sets out how different elements of the proposals have evolved in order to ensure they are as inclusive as possible.
- 5.37 The design of the Colindale LUL Station upgrade has been developed to create a space which is easy to access and navigate for visitors, including consideration of those with constraints to mobility. The design will:
- Provide step-free access from street to platform, which is particularly helpful to those using wheelchairs, pushchairs, or those who experience mobility restrictions;
 - Address overcrowding and congestion at the station, and facilitate good pedestrian flow;
 - Provide enhanced ticketing facilities, increasing the number of ticketing gates from four standard and one wide aisle to seven standard and two wide aisle gates;
 - Provide improved cycle storage, at the quantum required by the draft London Plan;
 - Ensure clear pedestrian routes and wayfinding through the concourse space, from entrance to platform and vice versa;

- Include 126 sqm of commercial space in the south-west corner of the station, accessed from both Colindale Avenue and the concourse;
- Replace the disabled car parking spaces currently located in the car park; and
- Generate an improved public realm immediately adjacent to the station and provide a catalyst for public realm improvements to Colindale Avenue.

5.38 In order to ensure the homes brought forward as part of the development provide suitable accommodation to meet the needs of a wide range of potential households, the DAS and Planning Statement highlight the following:

- 50% of homes will be affordable, comprising 79% London Shared Ownership and 21% London Affordable Rent;
- 10% of dwellings will be adaptable to wheelchair standards, and flexibility has been built into the scheme to ensure wheelchair user dwellings can be provided in line with GLA and statutory requirements;
- Residential accommodation will be designed to London Plan standards and meet or exceed minimum space standards;
- Residential floors have been designed to achieve good aspects and layouts, while avoiding overlooking between buildings and single-aspect north facing units;
- All residential floors are grouped around a central lift and stair core with five to six units per floor. This reduces corridor lengths and improves the sense of privacy and ownership;
- All units are to be compliant with the London Housing Design Guide and Approved Document M of The Building Regulations 2010; and
- A policy compliant amount of high-quality private amenity space (through balconies) will be provided, for all dwellings, which meets London Plan standards.

5.39 New housing, built to modern regulations, is on average significantly more accessible than the existing average housing stock. Provision of new homes, therefore, increases the overall availability of accessible homes to those with disabilities.

5.40 The design of the public realm will maximise activity along the public edge and create a high-street style design for Colindale Avenue:

- The station will provide an architectural focal point for the area, with enhanced public realm;
- The design of the public realm immediately in front of the station will ensure access and movement in a safe and high-quality environment;
- The pavement is proposed to be widened and will be resurfaced to match the wider highway enhancements so that the boundary between public and private is consistent, increasing pedestrian capacity;

- The bus stop is to be relocated further east and it is on street rather than inset into a layby;
- A loading/drop off bay, serving both the residential towers and the station, is to be located in front of the western residential tower. Blue badge spaces for the station are to be located on the western side of the public realm with a potential of adding two more blue badge spaces.

5.41 Overall, the proposals seek to improve the Station to meet future needs, and generate new homes, half of which will be affordable. The design takes account of the relevant policy, regulations and good practice. This will be to the benefit of all users including those with particular Protected Characteristics.

6 Conclusions

- 6.1 When considering the approved development, the PSED requires LBB to consider how the proposals could affect people who are protected under the Equality Act 2010, including having due regard to the effects of the development and any potential disadvantages suffered by people because of their Protected Characteristics. This duty is independent of LBB's planning duty under the Planning Acts.
- 6.2 LBB should demonstrate that it has discharged this duty in relation to the determination of the planning application and the progression of a CPO application. In meeting this duty, LBB should give due regard to equality considerations and attribute appropriate weight to such considerations.
- 6.3 LBB should demonstrate that equality impacts were a consideration in the balance when determining the application, alongside the benefits arising from the development such as the delivery of housing, additional employment floorspace and an upgraded LUL station.
- 6.4 LBB should consider appropriate mitigation to minimise the potential adverse effects of the development on those with Protected Characteristics.

Table 6.1: Summary of Effects

Effects	Relevant Protected Characteristics	Nature of Effect
Loss of existing homes for up to 20 residents	Disability, age (and potentially others should these be identified in continued consultation with these residents)	Equality effects can arise from residential property relocations where Protected Characteristics amongst the occupants and/or occupiers of the properties would be disproportionately or differentially affected by the acquisition of property and the need to find a new home. If a resident has specific housing requirements relating to their age or disability (or other Protected Characteristic that could result in differential effects of moving house or differential access to relevant information), this will be taken into account in the negotiations.
Temporary disruption of services from LUL station	Disability, age, pregnancy and maternity	TfL will manage any station closure or service disruption to minimise the impact on access to train services as much as possible. The exact strategy for service continuity is still to be determined but is likely to include rail replacement bus services.
Changes to LUL station	Disability, age, pregnancy and maternity	Improvements to the accessibility of the station will include step-free access from street to platform level, benefitting those who are less able bodied or who have mobility restrictions, including the elderly, disabled, and those who use wheelchairs and pushchairs.
Changes to public realm	Disability, age, pregnancy and maternity	Improvements to the public realm will include the widening of the pedestrian street and the increase of active frontages, benefitting those who are less able-bodied or who have mobility restrictions.

New housing	Disability, age, race	<p>Generation of affordable housing units which may benefit those on lower wages including young people, and people from BAME backgrounds.</p> <p>Design of homes to be inclusive for those with mobility restrictions or disabilities, including the provision of wheelchair accessible units and Blue Badge parking spaces.</p>
New jobs	Age, race	<p>Generation of employment opportunities which could benefit young people and people from BAME backgrounds.</p>

- 6.5 Construction effects on amenity are not considered significant and will be temporary, and can be minimised and mitigated through construction management as outlined.
- 6.6 Effects on other Protected Characteristics not outlined in Table 6.1 are considered to be Neutral with no effects identified.

Appendix 1: Baseline Summary Tables

Measure		Burnt Oak ward	Colindale ward	Local Area	LBB	London
Population						
Population		18,217	17,098	35,315	356,386	8,173,941
Population Growth (2001-2011)		20%	23%	21%	13%	14%
Forecast Population Growth (2011 to 2031)	Total	9%	123%	64%	23%	23%
	0-15	-1%	95%	43%	12%	17%
	16-74	9%	128%	68%	22%	18%
	75+	61%	199%	119%	66%	56%
Age						
Age Structure	0-15	25%	22%	23%	21%	20%
	16-74	71%	74%	73%	73%	75%
	75+	5%	3%	4%	7%	5%
Households with dependent children		42%	37%	39%	33%	31%
Gender						
Male / Female		47.3% / 52.7%	49.3% / 50.7%	48.2% / 51.8%	48.5% / 51.5%	49.3% / 50.7%
Marriage and Civil Partnership						
Single		39%	43%	41%	37%	44%

Marital and Civil Partnership Status	Married	42%	41%	42%	47%	40%
	Civil partnership	0%	0%	0%	0%	0%
	Other	18%	16%	17%	16%	16%
Sexual Orientation						
Sexual identity						2.6% (2% nationally)
Ethnic Profile						
Ethnicity	White	47%	40%	43%	36%	60%
	Mixed/Multiple	6%	6%	6%	5%	5%
	Asian/Asian British	26%	29%	27%	34%	18%
	Black/Black British	17%	19%	18%	19%	13%
	Other	5%	6%	5%	6%	3%
Country of Birth	UK	53%	47%	50%	45%	63%
	Europe	13%	14%	13%	13%	11%
	Africa	11%	14%	12%	11%	8%
	Middle East and Asia	19%	20%	19%	22%	12%
	Americas and Caribbean	2%	2%	2%	6%	4%
	Antarctica and Oceania	0%	0%	0%	1%	1%
	Other	0%	0%	0%	0%	0%
Main Language	English	67%	63%	65%	77%	78%
	EU L	11%	13%	12%	9%	8%

South Asian L	8%	8%	8%	4%	7%
East Asian L	4%	4%	4%	3%	2%
African L	3%	3%	3%	1%	2%
West/Central Asian L	4%	4%	4%	3%	1%
Other	4%	4%	4%	3%	3%

Religion and Belief

Religion	Christian	50%	47%	48%	41%	48%
	Buddhist	2%	2%	2%	1%	1%
	Hindu	7%	10%	9%	6%	5%
	Jewish	1%	1%	1%	15%	2%
	Muslim (Islam)	18%	19%	19%	10%	12%
	Sikh	0%	0%	0%	0%	2%
	Other religion: Total	0%	0%	0%	1%	1%
	None / Not Stated	20%	20%	20%	24%	29%

Health and Disability

Self-Assessed health	Very good health	47%	49%	48%	51%	50%
	Good health	35%	35%	35%	33%	33%
	Fair health	12%	11%	11%	11%	11%
	Bad health	5%	4%	4%	3%	4%
	Very bad health	2%	1%	1%	1%	1%

Long Term Health Problem or Disability	Day-to-day activities limited a lot	8%	6%	7%	7%	7%
	Day-to-day activities limited a little	8%	7%	7%	7%	7%
	Day-to-day activities not limited	84%	87%	85%	86%	86%
Premature mortality (under 75 years)					245 per 100,000	310 per 100,000
Maternal and Infant Health						
General fertility rate (number of live births per 1,000 women aged 15-44)					63.3	60.1
Infant Mortality Rate (per 1,000 live births)					2.2	3.3
Employment						
Highest Level of Qualifications	Further and Higher Education	25%	31%	28%	40%	38%
	GCSE and A-Level	22%	23%	23%	22%	22%
	Other Qualifications	15%	16%	15%	11%	10%
	No Formal Qualifications	24%	18%	21%	16%	18%
Employment Rate / Claimant Count (per 100,000)		3.1	3.2	3.2	2.5	3.0
Economic activity	Economically active	68%	67%	68%	71%	72%
	Unemployed	6%	5%	6%	4%	5%

Sources: Census 2011; GLA 2016; Public Health England 2019; Annual Population Survey 2019; ONS 2017

Appendix 2: London Borough of Barnet Equalities Impact Assessment Form

LONDON BOROUGH

Equalities Impact Assessment (EqIA)

EqIAs make services better for everyone and support value for money by getting services right first time.

EqIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then create an action plan to get the best outcomes for service users and staffⁱ. They analyse how all our work as a council might impact differently on different groups protected from discrimination by the Equality Act 2010ⁱⁱ. They help us make good decisions and evidence how we have reached them.ⁱⁱⁱ

An EqIA needs to be started as a project starts to identify and consider possible differential impacts on people and their lives, inform project planning and, where appropriate, identify mitigating actions. A full EqIA must be completed before any decisions are made or policy agreed so that the EqIA informs that decision or policy. It is also a live document; you should review and update it along with your project plan throughout.

You should first consider whether you need to complete this full EqIA^{iv}.

Other key points to note:

- Full guidance notes to help you are embedded in this form – see the End Notes or hover the mouse over the numbered notes.
- Please share your EqIA with your Equalities Champion and the final/updated version at the end of the project.
- Major EqIAs should be reviewed by the relevant Head of Service.
- Examples of completed EqIAs can be found on the Equalities Hub

1. Responsibility for the EqIA

Title of proposal ⁵	Compulsory purchase of properties in Colindale ave, NW9
Name and job title of completing officer	Martin Smith, Regeneration Manager, Regional Enterprise
Head of service area responsible	Stephen McDonald, Director of Growth, Barnet Council
Equalities Champion supporting the EqIA	To be identified
Performance Management rep	Paul Pawa, Commercial Director, Regional Enterprise
HR rep (for employment related issues)	NA
Representative (s) from external stakeholders	Kelly Lopez, Transport for london

2. Description of proposal

Is this a: (Please tick all that apply)	
New policy /strategy X/ function / procedure / service <input type="checkbox"/>	Review of Policy /strategy X/ function / procedure / service <input type="checkbox"/>
Budget Saving <input type="checkbox"/>	Other <input type="checkbox"/>
If budget saving please specify value below:	If other please specify below:

Colindale is currently undergoing intense redevelopment. The existing London Underground Station has been assessed by Transport for London (TfL) as being inadequate to cope with the increased population. Additionally, it currently does not have step free access to the station or platforms. The Council is working closely with TfL and the GLA to develop the new underground station and 313 new residential homes within 3 new tower blocks. To create the required capacity and step free access, the new station is to be re-built over the existing tracks and existing station car park. TfL has indicated that it considers this to be better value for money than a refurbishment of the existing station. TfL are the freehold owners of the existing station, retail unit, and surface car park. However, there is land currently in private ownership which is required to complete the proposed residential elements of the scheme. This land includes 167-173 Colindale Avenue, 1-6 Agar House and the car park and electricity sub- station at the rear of Agar House.

TFL have now appointed consultants, Avison Young, to commence Private Treaty negotiations with the existing owners. This report which will be considered at Barnet Council's Housing Assets and growth Committee on January 27 2020 seeks approval for the council to make a Compulsory Purchase Order in respect of the required land in private ownership

3. Supporting evidence

What existing data informs your assessment of the impact of the proposal on protected groups of service users and/or staff?

Identify the main sources of evidence, both quantitative and qualitative, that supports your analysis

Protected group	What does the data tell you ⁶ ? <i>Provide a summary of any relevant demographic data about the borough's population from the Joint Strategic Needs Assessment, or data about the council's workforce</i>	What do people tell you ⁷ ? <i>Provide a summary of relevant consultation and engagement including surveys and other research with stakeholders, newspaper articles correspondence etc.</i>
Age ⁸	Please refer to paragraphs 4.13 to 4.18 of the EqS	
Disability ⁹	Please refer to paragraphs 4.43 to 4.46 of the EqS	
Gender reassignment ¹⁰	Please refer to paragraphs 4.23 to 4.25 of the EqS	
Marriage and Civil Partnership ¹¹	Please refer to paragraphs 4.20 to 4.22 of the EqS	
Pregnancy and Maternity ¹²	Please refer to paragraphs 4.47 to 4.48 of the EqS	
Race/ Ethnicity ¹³	Please refer to paragraphs 4.33 to 4.40 of the EqS	
Religion or belief ¹⁴	Please refer to paragraphs 4.41 to 4.42 of the EqS	
Sex ¹⁵	Please refer to paragraph 4.19 of the EqS	
Sexual Orientation ¹⁶	Please refer to paragraphs 4.26 to 4.32 of the EqS	

Other relevant groups¹⁷	Please refer to paragraphs 4.49 to 4.54 of the EqS				
4. Assessing impact					
What does the evidence tell you about the impact your proposal may have on groups with protected characteristics ¹⁸ ?					
Protected characteristic	For each protected characteristic, explain in detail what the evidence is suggesting and the impact of your proposal (if any). Is there an impact on service deliver? Is there an impact on customer satisfaction? Click the appropriate box on the right to indicate the outcome of your analysis.	Positive impact	Negative impact		No impact
			Minor	Major	
Age	<p>Improvements to the accessibility of the station will include step-free access from street to platform level, benefitting those who are less able bodied or who have mobility restrictions, including the elderly.</p> <p>Improvements to the public realm will include the widening of the pedestrian street and the increase of active frontages, benefitting those who are less able bodied or who have mobility restrictions.</p> <p>Generation of affordable housing units which may benefit those on lower wages including young people.</p> <p>Generation of employment opportunities which could benefit young people.</p> <p>Equality effects can arise from residential property relocations where Protected Characteristics amongst the occupants and/or occupiers of the properties would be disproportionately or differentially affected by the acquisition of property and the need to find a new home. The proposed approach to acquisition should enable residents to acquire a new home on a like for like basis. If a resident has specific housing requirements relating to their age, this will be taken into account in the negotiations.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	Improvements to the accessibility of the station will include step-free access from street to platform level, benefitting those who are less able bodied or who have mobility restrictions, including the disabled, and those who use wheelchairs.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<p>Improvements to the public realm will include the widening of the pedestrian street and the increase of active frontages, benefitting those who are less able bodied or who have mobility restrictions.</p> <p>Design of homes to be inclusive for those with mobility restrictions or disabilities, including the provision of wheelchair accessible units and Blue Badge parking spaces.</p> <p>Equality effects can arise from residential property relocations where Protected Characteristics amongst the occupants and/or occupiers of the properties would be disproportionately or differentially affected by the acquisition of property and the need to find a new home. The proposed approach to acquisition should enable residents to acquire a new home on a like for like basis. If a resident has specific housing requirements relating to their age, this will be taken into account in the negotiations.</p> <p>TfL will manage any station closure or service disruption to minimise the impact on access to train services as much as possible. The exact strategy for service continuity is still to be determined but is likely to include replacement bus services.</p>				
Gender reassignment	No impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marriage and Civil Partnership	No impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and Maternity	<p>Improvements to the accessibility of the station will include step-free access from street to platform level, benefitting those who are less able bodied or who have mobility restrictions, including those who use pushchairs.</p> <p>Improvements to the public realm will include the widening of the pedestrian street and the increase of active frontages, benefitting those who are less able bodied or who have mobility restrictions.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Race/ Ethnicity	Generation of affordable housing units which may benefit those on lower wages including people from BAME backgrounds.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Generation of employment opportunities which could benefit people from BAME backgrounds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or belief	No impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	No impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	No impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Other key groups Are there any other vulnerable groups that might be affected by the proposal? <i>These could include carers, people in receipt of care, lone parents, people with low incomes or unemployed</i>		Positive impact	Negative impact		No impact
			Minor	Major	
Key groups	None identified	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. Cumulative impact¹⁹
 Considering what else is happening within the council and Barnet could your proposal contribute to a cumulative impact on groups with protected characteristics?

Yes No

If you clicked the Yes box, which groups with protected characteristics could be affected and what is the potential impact? Include details in the space below

7. Actions to mitigate or remove negative impact

Only complete this section if your proposals may have a negative impact on groups with protected characteristics. These need to be included in the relevant service plan for mainstreaming and performance management purposes.

Group affected	Potential negative impact	Mitigation measures ²⁰ <i>If you are unable to identify measures to mitigate impact, please state so and provide a brief explanation.</i>	Monitoring ²¹ <i>How will you assess whether these measures are successfully mitigating the impact?</i>	Deadline date	Lead Officer
Disability, Age	Loss of existing homes	Via the independent advisor, if a resident has specific housing requirements relating to their age or disability (or other Protected Characteristic that could result in differential effects of moving house or differential access to relevant information), this will be taken into account in the negotiations.	Project Board	On-going	To be identified
Disability	Temporary disruption of services from LUL station	TfL will manage any station closure or service disruption to minimise the impact on access to train services as much as possible. The exact strategy for service	Project Board	On-going	To be identified

		continuity is still to be determined but is likely to include replacement bus services.			

8. Outcome of the Equalities Impact Assessment (EqIA)²²

Please select one of the following four outcomes

Proceed with no changes

The EqIA has not identified any potential for a disproportionate impact and all opportunities to advance equality of opportunity are being addressed

Proceed with adjustments

Adjustments are required to remove/mitigate negative impacts identified by the assessment

Negative impact but proceed anyway

This EqIA has identified negative impacts that are not possible to mitigate. However, it is still reasonable to continue with the activity. Outline the reasons for this and the information used to reach this decision in the space below

Do not proceed

This EqIA has identified negative impacts that cannot be mitigated and it is not possible to continue. Outline the reasons for this and the information used to reach this decision in the space below

Reasons for decision

No significant negative impacts identified

ⁱ The following principles explain what we must do to fulfil our duties under the Equality Act when considering any new policy or change to services. They must all be met or the EqIA (and any decision based on it) may be open to challenge:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately
- **Timeliness:** the duty applies at the time of considering proposals and before a final decision is taken
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and must influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that anyone who provides services on our behalf complies with the equality duty.
- **Review:** the equality duty is a continuing duty – it continues after proposals are implemented/reviewed.
- **Proper Record Keeping:** we must keep records of the process and the impacts identified.

ⁱⁱ **Our duties under the Equality Act 2010**

The council has a legal duty under this Act to show that we have identified and considered the impact and potential impact of our activities on all people with ‘protected characteristics’ (see end notes 9-19 for details of the nine protected characteristics). This applies to policies, services (including commissioned services), and our employees.

We use this template to do this and evidence our consideration. You must give ‘due regard’ (pay conscious attention) to the need to:

- **Avoid, reduce or minimise negative impact:** if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately.
- **Promote equality of opportunity:** by
 - Removing or minimising disadvantages suffered by people with a protected characteristic
 - Taking steps to meet the needs of these groups
 - Encouraging people with protected characteristics to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **Foster good relations between people who share a protected characteristic and those who don’t:** e.g. by promoting understanding.

ⁱⁱⁱ **EqIAs should always be proportionate to:**

- The size of the service or scope of the policy/strategy
- The resources involved
- The size of the likely impact – e.g. the numbers of people affected and their vulnerability

The greater the potential adverse impact of the proposal on a protected group (e.g. disabled people) and the more vulnerable the group is, the more thorough and demanding the process required by the Act will be. Unless they contain sensitive data – EqlAs are public documents. They are published with Cabinet papers, Panel papers and public consultations. They are available on request.

^{iv} **When to complete an EqlA:**

- When developing a new policy, strategy, or service
- When reviewing an existing service, policy or strategy
- When making changes that will affect front-line services
- When amending budgets which may affect front-line services
- When changing the way services are funded and this may impact the quality of the service and who can access it
- When making a decision that could have a different impact on different groups of people
- When making staff redundant or changing their roles

Wherever possible, build the EqlA into your usual planning and review processes.

Also consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people who will be affected?

If there are potential impacts on people but you decide not to complete an EqlA you should document your reasons why.

⁵ **Title of EqlA:** This should clearly explain what service / policy / strategy / change you are assessing.

⁶ **Data & Information:** Your EqlA needs to be informed by data. You should consider the following:

- What data is relevant to the impact on protected groups is available? (is there an existing EqlA?, local service data, national data, community data, similar proposal in another local authority).
- What further evidence is needed and how can you get it? (e.g. further research or engagement with the affected groups).
- What do you know from service/local data about needs, access and outcomes? Focus on each characteristic in turn.
- What might any local demographic changes or trends mean for the service or function? Also consider national data if appropriate.
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any group(s)?
- Is the service having a positive or negative effect on particular people or groups in the community?

⁷ **What have people told you about the service, function, area?**

- Use service user feedback, complaints, audits
- Conduct specific consultation or engagement and use the results
- Are there patterns or differences in what people from different groups tell you?
- Remember, you must consult appropriately and in an inclusive way with those likely to be affected to fulfil the equality duty.
- You can read LBB [Consultation and Engagement toolkit](#) for full advice or contact the Consultation and Research Manager, rosie.evangelou@barnet.gov.uk for further advise

⁸ **Age:** People of all ages, but consider in particular children and young people, older people and carers, looked after children and young people leaving care. Also consider working age people.

⁹ **Disability:** When looking at disability, consideration should be given to people with different types of impairments: physical (including mobility), learning, aural or sensory (including hearing and vision impairment), visible and non-visible impairment. Consideration should also be given to: people with HIV, people with mental health needs and people with drug and alcohol problems. People with conditions such as diabetes and cancer and some other health conditions also have protection under the Equality Act 2010.

¹⁰ **Gender Reassignment:** In the Act, a transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected. Consider transgender people, transsexual people and transvestites.

¹¹ **Marriage and Civil Partnership:** consider married people and civil partners.

¹² **Pregnancy and Maternity:** When looking at pregnancy and maternity, give consideration to pregnant women, breastfeeding mothers, part-time workers, women with caring responsibilities, women who are lone parents and parents on low incomes, women on maternity leave and 'keeping in touch' days.

¹³ **Race/Ethnicity:** Apart from the common ethnic groups, consideration should also be given to Traveller communities, people of other nationalities outside Britain who reside here, refugees and asylum seekers and speakers of other languages.

¹⁴ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. As a minimum you should consider the most common religious groups (Christian, Muslim, Hindu, Jews, Sikh, Buddhist) and people with no religion or philosophical beliefs.

¹⁵ **Sex/Gender:** Consider girls and women, boys and men, married people, civil partners, part-time workers, carers (both of children with disabilities and older cares), parents (mothers and fathers), in particular lone parents and parents on low incomes.

¹⁶ **Sexual Orientation:** The Act protects bisexual, heterosexual, gay and lesbian people.

¹⁷ **Other relevant groups:** You should consider the impact on our service users in other related areas.

¹⁸ **Impact:** Your EqIA must consider fully and properly actual and potential impacts against each protected characteristic:

- The equality duty does not stop changes, but means we must fully consider and address the anticipated impacts on people.
- Be accurate and transparent, but also realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific where you can so decision-makers have a concrete sense of potential effects.
- Questions to ask when assessing whether and how the proposals impact on service users, staff and the wider community:
- Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
- Is there evidence of higher/lower uptake of a service among different groups? Which, and to what extent?
- Does the project relate to an area with known inequalities (where national evidence or previous research is available)?
- If there are likely to be different impacts on different groups, is that consistent with the overall objective?
- If there is negative differential impact, how can you minimise that while taking into account your overall aims?
- Do the effects amount to unlawful discrimination? If so the plan **must** be modified.
- Does it relate to an area where equality objectives have been set by LBB in our [Barnet 2024 Plan](#) and our [Strategic Equality Objective](#)?

¹⁹ **Cumulative Impact**

You will need to look at whether a single decision or series of decisions might have a greater negative impact on a specific group and at ways in which negative impacts across the council might be minimised or avoided.

²⁰ **Mitigating actions**

- Consider mitigating actions that specifically address the impacts you've identified and show how they will remove, reduce or avoid any negative impacts
- Explain clearly what any mitigating measures are, and the extent to which you think they will reduce or remove the adverse effect
- Will you need to communicate or provide services in different ways for different groups in order to create a 'level playing field'?
- State how you can maximise any positive impacts or advance equality of opportunity.
- If you do not have sufficient equality information, state how you can fill the gaps.

²¹ **Monitoring:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further monitoring, equality assessment, and consultation are needed.

²² **Outcome:**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Also explain what positive impacts will result from the actions and how you can make the most of these.

- Make it clear if a change is needed to the proposal itself. Is further engagement, research or monitoring needed?
- Make it clear if, as a result of the analysis, the policy/proposal should be stopped.