

**This is a draft Equalities Impact Assessment. We would welcome any comments you may have on this document.**

DRAFT

<b>Overall Information</b>	<b>Details of Draft Equality Impact Analysis</b>
<b>Financial Year and Quarter</b>	2011/2012
<b>Name and details of policy, strategy, function, project, activity, or programme</b>	<p><b>The Earls Court Redevelopment Project</b></p> <p>The council is proposing to enter into a Conditional Land Sale Agreement (CLSA) to grant an option to EC Properties to include certain council-owned land within a comprehensive regeneration scheme that covers the Earls Court Exhibition Centre buildings and Seagrave Road car park (both owned by Capital and Counties plc, which owns EC Properties) and the TfL-owned Lillie Bridge Depot. The council-owned land includes the West Kensington and Gibbs Green estates.</p> <p>This draft Equalities Impact Analysis (EIA) seeks to assess, by reference to the protected characteristics, the impact of entering into the CLSA on those directly affected by the development – the residents of the West Kensington and Gibbs Green estates, and the pupils at the Queens Mill School temporarily located at the former Gibbs Green School site.</p>
<b>Lead Officer</b>	<p>Name: Philip Morris          Position: Head of Area Regeneration          Email: Philip.morris@lbhf.gov.uk          Telephone No: 020 8753 3334</p>
<b>Date of completion of final EIA</b>	...

<b>Section 02</b>	<b>Scoping of Full EIA</b>
<b>Plan for completion</b>	<p>Start date of EIA: 18<sup>th</sup> June 2011          Completion date for EIA: N/A          Lead Officer: Philip Morris</p>

**What is the policy, strategy, function, project, activity, or programme looking to achieve?**

**The recommendations in question**

After a number of years of engagement and negotiation with residents of the West Kensington and Gibbs Green estates, residents of the local area and EC Properties / Capital and Counties, council Officers are considering recommending to the council that it enters into the CLSA with EC Properties. This would involve three key recommendations:

1. That the council grant an option to EC Properties to purchase the West Kensington and Gibbs Green estates.
2. That the council approve the early purchase by EC Properties of land formerly occupied by Gibbs Green School. This will provide the much needed funds to build a new borough wide Secondary autistic school facility in White City, the building of which has been stalled due to public sector cuts.
3. That the council approve the sale to EC Properties of land at 11 Farm Lane to support the redevelopment.

**The Potential Impact of the Recommendations**

Below, the recommendations are assessed against the protected characteristics. ‘+’ indicates a positive impact, ‘-’ indicates a negative impact and ‘/’ indicates a neutral impact. ‘L’, ‘M’ and ‘H’ indicate that the impact is of low, medium or high relevance to the protected characteristic in question.

**RECOMMENDATION 1**

- That the council grant an option to EC Properties to purchase the West Kensington and Gibbs Green estates.

Protected Characteristic	+/-	L/M/H	Assessment
Age	-	H	<p><i>Where age is referred to, it refers to persons of a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</i></p> <p>(1) The impact of residents having to leave their current homes on the estates is likely to be greater for elderly residents than for other residents in general. Packing, moving and unpacking is likely to be particularly difficult for such people.</p>

		-	H	<p>- The council proposes to address this negative impact by ensuring that a dedicated Re-housing Officer will be able to allocate additional support and services to older people to assist them in moving home. In addition, where possible, residents will be moved in groups so as to ensure that existing support networks are kept intact.</p> <p>(2) Council tenants would be re-housed based on their need. From the point of view of age, the impact of this would vary from case to case:</p> <p>(2a.) For an older couple or an older single person whose children have left home and who are now occupying a large flat or house, the result would be that they would be offered a smaller property, as they no longer have a need for a larger one. This would have a negative impact on such people.</p>
		+	H	<p>(2b.) For a younger couple or a younger single person with children whose current accommodation is over-occupied, the result would be that they would be offered a new property that meets their needs (1, 2,3,4 and 5 bed properties can be provided). This would be a positive impact.</p>
		+	M	<p>(3) The provision of new homes would provide the opportunity for better access (as regards common areas, lifts, level access, and access routes to homes from the wider area), which would positively impact on older residents with age-related mobility impairments, as well as parents with young children.</p>
		+	H	<p>(4) Increased employment opportunities would in general have a positive impact for residents of working age.</p>
	<b>Protected Characteristic</b>	<b>+/-</b>	<b>L/M/H</b>	<b>Assessment</b>
<b>Disability</b>			<p><i>A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</i></p>	

		-	H	<p>(1) The impact of residents having to leave their current homes on the estates is likely to be greater for disabled residents than for other residents in general. Packing, moving and unpacking is likely to be particularly difficult for such people.</p> <p>- The council proposes to address this negative impact by ensuring that a dedicated Re-housing Officer will be able to allocate additional support and services to disabled people to assist them in moving home. In addition, where possible, residents will be moved in groups so as to ensure that existing support networks are kept intact.</p>
		+	M	<p>(2) The provision of new homes would provide the opportunity for better access (as regards common areas, lifts, level access, and access routes to homes from the wider area), which would positively impact on disabled residents.</p>
		+	M	<p>(3) New health facilities would in general be likely to have a particularly positive impact for disabled residents.</p> <p>(4) The replacement of parking spaces for social rent tenants with a disability, and for other tenants with a disability will be determined by the relevant planning policies.</p>
	<b>Protected Characteristic</b>	<b>+/-</b>	<b>L/M/H</b>	<b>Assessment</b>
	<b>Gender reassignment</b>	/		<p><i>Gender reassignment is the process of transitioning from one gender to another.</i></p> <p>It is not anticipated that Recommendation 1 would have any particular impact on residents with this protected characteristic as compared with other residents.</p>
	<b>Protected Characteristic</b>	<b>+/-</b>	<b>L/M/H</b>	<b>Assessment</b>
	<b>Marriage and Civil Partnership</b>			<p><i>Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples</i></p>

		/		<i>on a wide range of legal matters.</i> It is not anticipated that Recommendation 1 would have any particular impact on residents with this protected characteristic as compared with other residents.
	<b>Protected Characteristic</b>	<b>+/-</b>	<b>L/M/H</b>	<b>Assessment</b>
	<b>Pregnancy and maternity</b>	-	<b>M</b>	<p><i>Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</i></p> <p>(1) The impact of residents having to leave their current homes on the estates would be likely to be greater for pregnant women, and women on maternity leave, than for other residents in general. Packing, moving and unpacking is likely to be difficult for pregnant women, and women on maternity leave.</p> <p>- The council proposes to address this negative impact by ensuring that a dedicated Re-housing Officer will be able to allocate additional support and services to pregnant women, and women on maternity leave, to assist them in moving home. In addition, where possible, residents will be moved in groups so as to ensure that existing support networks are kept intact.</p> <p>- Where possible, the council will also take account of the due date for any pregnant women who are due to move out of the estates, and attempt to accommodate this when working determining any potential move date.</p>
	+	<b>M</b>	<p>(2) The provision of new homes would provide the opportunity for better access (as regards common areas, lifts, level access, and access routes to homes from the wider area), which would positively impact on pregnant women, and women on maternity leave.</p> <p>(3) New health facilities would in general be likely to have a positive</p>	

		+	M	impact for pregnant women, and women on maternity leave.
	<b>Protected Characteristic</b>	+/-	L/M/H	<b>Assessment</b>
	<b>Race</b>			<p><i>Race refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.</i></p> <p>The predominant ethnicity of residents on the West Kensington and Gibbs Green estates is White British, accounting for 42%, although this figure is considerably lower than the Borough (58%) and London (60%) averages, and particularly the national average (87%). Residents from minority (non-white) backgrounds account for 43% of the resident population of the estates. This figure is considerably higher than the Borough average (22%), London average (29%) and national average (9%).</p> <p>-</p> <p>M Accordingly, (1) the impact of having to leave homes on the estates would be felt by an above-average number of residents from minority backgrounds.</p> <p>+</p> <p>M (2) Council tenants would be re-housed based on their need. Some race groups are more likely to be over-occupying their current units, and so in those cases, tenants would benefit from homes more suited to their needs.</p>
	<b>Protected Characteristic</b>	+/-	L/M/H	<b>Assessment</b>
	<b>Religion/belief (including non-belief)</b>			<p><i>Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.</i></p> <p>The predominant religion of residents on the West Kensington and Gibbs Green estates is Christianity (60%), which is consistent with the Borough average (64%). The proportion of Muslim residents on the estates (13%) exceeds the Borough average (7%), London average (8%) and national average (2%), while other religions appear in very small proportions.</p>

		-	M	Persons stating they have no religion account for 16% of residents on the estates, which is similar to the borough average (18%), London average (16%) and national average (15%).  Accordingly, (1) the negative impact of having to leave homes on the estates would be felt by an above-average number of Muslims.  In addition, (2) there is a risk that the new homes for religious residents would be further from their current place of worship than their current homes on the estates. However given that most residents will be given the opportunity to move within the redevelopment area, this is not considered to be a significant impact.
		/	/	
	<b>Protected Characteristic</b>	<b>+/-</b>	<b>L/M/H</b>	<b>Assessment</b>
	<b>Sex</b>			<i>Sex means a man or a woman</i>  The 2001 Census indicates that 90% of lone parent households are headed by women. 14 % of households on the West Kensington estate are lone parent households and 9% of households on the Gibbs Green estates are lone parents households. Further, lone parent households would be likely to find moving house particularly challenging.
		-	M	Accordingly, and to this extent, (1) the impact of having to leave homes on the estates would be likely to be greater on female residents than on male residents.
	<b>Protected Characteristic</b>	<b>+/-</b>	<b>L/M/H</b>	<b>Assessment</b>
	<b>Sexual Orientation</b>			<i>Sexual orientation means whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes</i>  It is not anticipated that Recommendation 1 would have any particular impact on residents with this protected characteristic as compared with other residents.
		/		

**RECOMMENDATION 2**

- That the council approve the early purchase by EC Properties of land formerly occupied by Gibbs Green School. This will provide the much needed funds to build a new borough wide Secondary autistic school facility in White City, the building of which has been stalled due to public sector cuts.

Protected characteristic	+/-	L/M/H	Assessment
<b>Age</b>	/		It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic (as read with the exceptions in Schedule 18 to the Equality Act 2010) as compared with other residents.
<b>Disability</b>	-	<b>M</b>	The temporarily secondary autistic school located at Queens Mill School will need be moved. This will inevitably cause disruption
	+	<b>H</b>	The early purchase of the land will ensure that a new secondary autistic school can be provided at a permanent and purpose-built facility in White City.
<b>Gender reassignment</b>	/		It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic as compared with other residents.
<b>Marriage and civil partnership</b>	/		It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic as compared with other residents.
<b>Pregnancy and maternity</b>	/		It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic as compared with other residents.
<b>Race</b>	/		It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic as compared with other residents.
<b>Religion/belief (including non belief)</b>	/		It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic as compared with other residents.
<b>Sex</b>	/		It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic as compared with

			other residents.
	<b>Sexual Orientation</b>	/	It is not anticipated that Recommendation 2 would have any particular impact on residents with this protected characteristic as compared with other residents.
	<p><b>RECOMMENDATION 3</b></p> <ul style="list-style-type: none"> <li>That the council approve the sale to EC Properties of land at 11 Farm Lane to support the redevelopment.</li> </ul> <p>In February 2011, The Council's Cabinet took the decision to close the supported Hostel located at Farm Lane. The under-occupied hostel was deemed surplus to requirements and has been closed. A full EIA was completed for the decision to close this hostel. The Cabinet gave authority for the site to be disposed of in accordance with section 123 Local Government Act 1972.</p> <p>If the site is sold to EC Properties, it is anticipated that EC Properties / Capital and Counties will build residential homes on it. It is not anticipated that Recommendation 3 would in itself have any particular impact on residents with any of the protected characteristics, as compared with other residents.</p>		

<b>Section 03</b>	<b>Analysis of relevant data</b>
<b>Documents and data reviewed</b>	<p>The following documents and data have been used to help inform this draft Equality Impact Analysis:</p> <p><b>The council's Community Strategy</b></p> <p>The Community Strategy was produced in 2007 and sets the framework of objectives used for both the Core Strategy and the Single Equality scheme. The Strategy was developed with our local partners from across the public, private, voluntary and community sectors and was subject to public consultation. As partners in delivering local services the aim of the Council through the community</p>

strategy is to combine opportunity, with social responsibility and social justice to assist the vast majority of people in the borough to help themselves while supporting the most vulnerable in the community. The Community Strategy is therefore considered to be consistent with the statutory codes in relation to race, gender, disability etc.

### **The council's Single Equality Scheme**

The Single Equality Scheme contains our statutory and non-statutory equality schemes and simplifies how we meet our requirements for all, including groups protected by discrimination law. Officers have given careful consideration to the statutory codes in relation to race, gender, and disability in preparing the scheme, as well as to the duties that were expected to arise from the Equality Act 2010, which received Royal Assent in April 2010, and most of the provisions of which came into force on 01 October 2010 (see below).

The Single Equality Scheme objectives are based on the same Community Strategy objectives as the Spatial vision of the Core Strategy in terms of creating a borough of opportunity for all, including promoting home ownership and regenerating the most deprived parts of the borough. A comprehensive Regeneration should work to those same objectives.

The scheme aims to obtain the key outcomes for all groups as follows:

- Greater home ownership and housing of adequate standard
- High levels of participation in education and improved educational achievement
- Better health and reduced inequalities in health
- More people of working age working, greater access to sustainable employment opportunities and reduced unemployment
- Regeneration of deprived areas and better physical environment to live, work and visit
- Diverse cultural and ethnic identities are valued and celebrated
- Greater community involvement, volunteering and cohesion, reduced social isolation
- Positive parenting and reduced incidence of abuse and neglect
- Reduced criminal victimisation and violence
- Higher overall living standards and reduced poverty

### **Equalities Duties**

#### **Protected characteristics and PSED**

The public sector equality duty (PSED) states that in the exercise of our functions, we must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

## General Demographic Information

### Property Information

The West Kensington and Gibbs Green estates occupy an area of 22 acres and are primarily owned by the council. There are currently 531 council owned social rented properties, 132 leasehold properties and 39 freehold properties. There is also a number of small Housing Association developments throughout the two estates.

The table below shows the ownership and property types of all of the housing across the West Kensington and Gibbs Green estates.

	1 Bed Flat	1 Bed House	2 Bed Flat	2 Bed House	3 Bed Flat	3 Bed House	4 Bed Flat	4 Bed House	TOTAL
Council	163	0	212	0	46	75	8	27	531
Leasehold/Freehold	21	0	85	0	24	28	2	11	171

RSL	4	3	6	13	0	25	0	7	58
Total	188	3	303	13	70	128	10	45	760

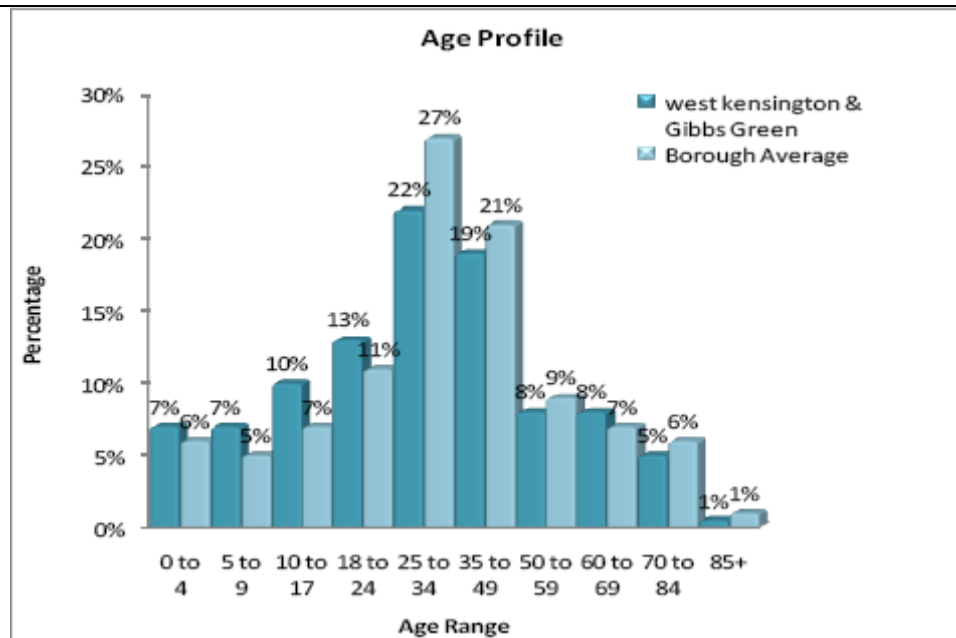
## Age

The age profile of West Kensington and Gibbs Green estates differs significantly from the Borough average, primarily on the basis of a lower concentration of adults aged between 25 and 34 years (22% of estate compared to 27% throughout the Borough) and a much higher concentration of children aged less than 18 years, accounting for 24% of residents of the estates compared to 18% throughout the Borough, although figures for the estates are consistent with those recorded across both London and England (both 23%).

The adult to child ratio on the estates is 3:1, which is consistent with the London and England averages (both 3:1) but differs from the Borough average (4:1). It is noted that the adult to child ratio in the Borough is artificially high, in terms of the number of adults, due to the prevalence of young, single professionals.

Although difficult to quantify, anecdotal evidence suggests that the proportion of children on Gibbs Green estate has increased significantly in recent years, reflecting the types of leaseholders attracted to the estate.

Within the 464 Council-owned properties on West Kensington estate that are currently occupied (11 properties are void as at November 2009), 107 main tenants are aged in excess of 65 years, representing 23%. Of these, 62 tenants are aged between 65 and 74 years, 37 are between 75 and 84 years, and 8 are aged in excess of 85 years. On Gibbs Green estate, there are 11 main tenants aged in excess of 65 years, of which 6 are aged between 65 and 74 years, 2 are between 75 and 84 years, and 3 are aged in excess of 85 years.



### Disability

It is estimated that there are more than 10 million disabled people in the UK (Source: LBHF Access for All 2006) and more than 800,000 disabled people in London (Source: London Plan SPD: Planning for Equality 2007). This presents a significant challenge to ensure that new development makes provision for people with disabilities.

The proportion of working age residents of West Kensington and Gibbs Green estates who are permanently sick or disabled (6%) is similar to the Borough (5%) and London (5%) averages. On the estates, 17% of residents are reported as having a Limiting Long-Term Illness (LLTI), which is slightly higher than figures recorded throughout the Borough and across London (both 15%).<sup>1</sup>

### Gender Reassignment

Official statistics, such as census data, are not collected on gender reassignment.

<sup>1</sup> Census 2001

### **Marriage and Civil partnership**

The majority of residents on the West Kensington and Gibbs Green estates are married (54%), which corresponds with the LBHF average (55%). A considerable proportion of residents on the estates are married (25%), which is also consistent with the LBHF average of 26%.

### **Pregnancy and Maternity**

The teenage pregnancy rate within North End ward is the highest in Hammersmith and Fulham (being twice the Borough average), with 74 conceptions per 1,000 teenagers compared to 37 conceptions per 1,000 teenagers throughout the Borough.

### **Race**

The predominant ethnicity of residents on West Kensington and Gibbs Green estates is White British, accounting for 42%, although this figure is considerably lower than the Borough (58%) and London (60%) averages, and particularly the national average (87%).

Residents from minority (non-white) backgrounds account for 43% of the resident population of the estates. This figure is considerably higher than the Borough (22%), London (29%) and national (9%) averages. Between 2001 and 2009, the proportion of residents from Black and Minority Ethnic (BME) backgrounds has remained relatively unchanged on the estates.

The proportion on residents of West Kensington and Gibbs Green estates who are from Black / Black British backgrounds (27%) greatly exceeds the Borough (11%), London (11%) and national (2%) averages. The predominant ethnic minority groups identified on the estates are Black African (13% of residents), particularly Somali and Eritrean communities, and Black Caribbean (10%). These figures are considerably higher than those recorded across the Borough (both 5%), London (both 5%) and England (both 1%). Only a small proportion of residents on the estates are from Chinese backgrounds (3%).

Information about the ethnicity of current Council tenants on the estates is incomplete, but nevertheless indicates that 51% of tenants on the Gibbs Green estate are from White Backgrounds, compared to 31% on the West Kensington estate. Almost equal proportions of tenants on each estate are from Black / Black British backgrounds, accounting for 23% of tenants on the Gibbs Green estate and 22% on the West Kensington estate.

### **Religion/belief (including non – belief)**

The predominant religion of residents of the West Kensington and Gibbs Green estates is Christianity (60%), which is consistent with the LBHF average (64%). The proportion of Muslim residents on the estates (13%) exceeds the LBHF (7%), London (8%) and national (2%) averages, while other religions appear in very small

proportions. Persons stating they have no religion account for 16% of residents on the estates, which is similar to the LBHF (18%), London (16%) and national (15%) averages.

### **Sex**

There are more women in the borough than men which is also the case in London and England. The Single Equalities Scheme (SES) indicates that there are more female headed households in the borough which represents a key equality gap for Hammersmith and Fulham. 90% of lone parent households are headed by women (2001 Census).

Statistics for England and Wales show that women are less economically active than men. In Hammersmith and Fulham 64.0% of women and 75.3% of men are economically active. This is lower than the London wide figures of 67.6% for women and 82.2% for men (Source 2006 – Nomis official labour market statistics).

Hammersmith & Fulham has a marginally lower proportion of full time employed male residents (82.3%) than the London (82.5%) and national averages (84.1), but has a higher proportion of full time employed females (60.7%) than the London (57.7%) and national averages (51.6%).

### **Sexual Orientation**

Official statistics, such as census data, are not collected on sexual orientation within the borough. However, the ONS's most recent research indicates that 1.5% of the adult population identify as lesbian, gay, or bisexual (LGB). This figure, taken proportionately across all equality protected characteristics is the basis for our assessment on LGB people.

This figure differs significantly from the figure from the Department of Trade and Industry which published a figure of approximately 6% LGBT (and transgender). The proportion in London is thought to be higher, perhaps up to 10%.

**Please note: The information on the West Kensington and Gibbs Green estates within this sections has been taken from *the West Kensington and Gibbs Green Estates Profile November 2009***