

Equality Impact Assessment Template

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| Name of policy/ procedure/ practice to be assessed | Compulsory Purchase Order – Kerria Estate | | Date of Assessment | 24th June 2015 | |
| Is this a new or existing policy/ procedure/ practice? | New Practice | Officer responsible for the Assessment | Paul Weston – Head of Asset Management | Department | Property Services |
| 1. Briefly describe the aims, objectives and purpose of the policy/ procedure/ practice? | This is part of the overall Kerria estate regeneration project and deals only with the compulsory purchase of that land and property required to deliver the regeneration works. | | | | |
| 2. Are there any associated policy/ procedure/ practice which should be considered whilst carrying out this equality impact assessment? | This is a sub-project of the Kerria estate regeneration project. | | | | |
| 3. Who is intended to benefit from this policy/ procedure/ practice and in what way? | <p>The compulsory purchase order process is required in order to obtain land and property not currently in the ownership of Tamworth Borough Council; this will allow for the regeneration of the estate.</p> <p>The overall regeneration project will benefit the local community by providing additional social housing of a higher quality than is current on the estate.</p> | | | | |
| 4. What are the desired outcomes from this policy/ procedure/ practice? | The acquisition of land and property either through negotiation or compulsory purchase is necessary in order to enable the overall regeneration of the estate. | | | | |
| 5. What factors/ forces could contribute/ detract from the outcomes? | The compulsory purchase order process is a statutory arrangement and is subject to appeal and potentially public enquiry. Any appeal or enquiry will follow a statutory framework. | | | | |
| 6. Who are the main stakeholders in relation to | The wider community will benefit from the regeneration of the estate. The regeneration will provide additional social housing of a higher quality than currently exists. | | | | |

**the policy/ procedure/
practice?**

Individual property and land owners will be directly affected by the compulsory purchase order process.

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| <p>7. Which individuals/ groups have been/ will be consulted with on this policy/ procedure/ practice?</p> | <p>There has been extensive consultation with the wider community of the area affected. There has also been consultation as part of the planning process.</p> <p>In relation to those land and property owners directly affected by the Compulsory Purchase Order process there has been direct 1-2-1 consultation as the aim is to acquire their interests through negotiation without the need to use CPO powers.</p> | | |
| <p>8. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact on racial groups?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>9. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to gender?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>10. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to them being transgender or transsexual?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>11. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to disability?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |

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| <p>12. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to sexual orientation?</p> | <p>≠</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>13. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to age?</p> | <p>Y</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> <p>The potential exception to this is that in some cases business owners could be expected to face an extinguishment of their business on grounds of their age. This is set out in the CPO compensation code although it would only happen if the business owner decided not to continue their business or found themselves in a position where they were unable to continue their business. Efforts are being made to identify business opportunities for those businesses displaced by the regeneration project.</p> |
| <p>14. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to religious belief?</p> | <p>≠</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>15. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact on Gypsies/ Travellers?</p> | <p>≠</p> | <p>N</p> | <p>There are no Gypsies/Travellers with interests on the site and as such they would not be affected by the CPO process.</p> |
| <p>16. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to dependant/caring responsibilities?</p> | <p>≠</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |

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| <p>17. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to them having an offending past?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>18. Are there concerns that the policy/ procedure/ practice could have an impact on children or vulnerable adults?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>19. Does any of the differential impact identified cut across the equality strands (e.g. elder BME groups)?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>20. Could the differential impact identified in 8 – 19 amount to there being the potential for adverse impact in this policy/ procedure/ practice?</p> | <p>¥</p> | <p>N</p> | <p>The CPO process addresses the acquisition of property and takes no regard of the owners personal circumstances. There is a statutory framework for dealing with compensation under a CPO and this is applied to all affected parties. Each owner will be dealt with on an individual basis. The basic premise of the CPO process is that no person subject to CPO should be in a worse financial position than they would have been in had their land/property not been subject to a CPO.</p> |
| <p>21. Can this adverse impact be justified:</p> <ul style="list-style-type: none"> • on the grounds of promoting equality of opportunity for one group? • For any other reason? | <p>Y</p> | <p>N</p> | <p>NOT APPLICABLE</p> |

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| <p>22. As a result of carrying out the equality impact assessment is there a requirement for further consultation?</p> | <p>Y</p> | <p>N</p> | <p>Although there is no requirement for further consultation arising from the Impact Assessment there is an obligation under the CPO powers to continue consultation and negotiation with those directly affected. Failure to properly consult and or negotiate could compromise the CPO process in the event of an appeal or Public Enquiry. It is in the Council's interests to continue with negotiation as this is a more cost effective route to acquiring the interests than making use of the CPO powers</p> |
| <p>23. As a result of this EIA should this policy/ procedure/ practice be recommended for implementation in it's current state?</p> | <p>Y</p> | <p>N</p> | <p>The CPO process is essential for the delivery of the wider regeneration project. It is subject to a statutory framework and legislation.</p> |