

## Appendix 4 to Paper No. 17-339

### Initial Equality Impact Needs Assessment.

Department (s)	Finance
Decision	<p>This report recommends that a Compulsory Purchase Order (CPO) is made to acquire the freehold, leasehold and other interests in the area in and around the new Floreat School, Garratt Lane as required to enable vacant possession to be obtained and land to be brought into Council ownership so that the site can be sold to enable the comprehensive development of land in and around Oakshaw Road, Atheldene Road, Waverton Road and Garratt Lane SW18 to be carried out.</p> <p>(a) Agree to resolve that the Council makes a Compulsory Purchase Order under section 226(1)(a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (if required) for the acquisition of all freehold and leasehold interests (and any other interests and rights as may be required) in the land and buildings at 235, 237, 241, 245 and 247 Garratt Lane, 51 and 52 Waverton Road SW18 as well as any other necessary land interests within the area, as shown on the plan attached at Appendix 1, for the purpose of securing the comprehensive redevelopment of land in and around Oakshaw Road, Atheldene Road, Waverton Road and Garratt Lane SW18.</p> <p>(b) Authorise the Assistant Director, Housing and Regeneration, Property Services :-</p> <p>(i) to take all necessary steps to secure the making, confirmation and implementation of the CPO including land referencing, serving any requisitions for information, preparing all necessary documentation (including the CPO, the Order Plan and the Statement of Reasons), submission of the CPO to the Secretary of State for confirmation, the publication and service of all notices and preparing for and presentation of the Council's</p>

	<p>case at any Public Inquiry;</p> <ul style="list-style-type: none"> <li>(ii) make any amendments to the draft Statement of Reasons annexed at Appendix 2 to this Report as are considered necessary prior to its submission to the Secretary of State;</li> <li>(iii) make arrangements to assist with any relocation as required;</li> <li>(iv) to confirm the CPO if granted power to do so by the Secretary of State;</li> <li>(v) remove from the CPO any plot (or interest therein) no longer required to be acquired compulsorily and to amend the interests scheduled in the CPO (if so advised);</li> <li>(vi) agree that, if the CPO is confirmed, the Council proceed with acquisition of the interests by use of a General Vesting Declaration and/or Notice to Treat.</li> <li>(vii) agree that, if the CPO is confirmed, the Assistant Director, Housing and Regeneration, Property Services be authorised to settle the compensation payable in acquiring the interests</li> <li>(viii) authorise the Assistant Director, Housing and Regeneration (Property Services) to negotiate terms for the acquisition of the interests in the property by the Council by agreement or for the withdrawal of objections to the Compulsory Purchase Order</li> </ul>
<p>People involved</p>	<p>Andy Algar, Clare O'Connor, Toks Osibogun,</p>

<p><b>1. What are the aims of the policy?</b></p>
<p>The Council is considering exercising its compulsory purchase powers to try and ensure that the comprehensive redevelopment of land in and around in and around Oakshaw Road, Atheldene Road, Waverton Road, included within Phase 1 and Garratt Lane SW18 which is included within Phase 2 of the proposals proceeds within a reasonable timeframe. It is considered that the acquisition of the interests</p>

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in the land and buildings at 235, 237, 241, 245 and 247 Garratt Lane, SW18 and 51 and 52 Waverton Road, SW18, together with the areas of unregistered land referred to above, will contribute to the improvement of the social, economic and environmental well-being of the area in and around the heart of the borough.

The redevelopment proposals will facilitate a mixed use scheme providing a total of 190 residential units, comprising houses and flatted units providing a mix of private and affordable tenure, with associated amenity space including gardens, balconies and terraces; a new and significantly larger health centre, a new pharmacy measuring 94sq.m (approximately 21% larger than the existing pharmacy at 245 Garratt Lane) and two commercial units within buildings ranging between two and five-storeys high, together with the provision of hard and soft landscaping, enhanced pedestrian routes, and associated car parking and cycle parking.

Whilst negotiations are continuing with the affected parties, and will continue in tandem with the CPO procedure, it may be necessary for the Council to use its compulsory purchase powers in the event that any owners of the interests to be acquired are not willing to cooperate within the timeframe proposed for the development. Once the CPO is confirmed, compulsory acquisition would only be used where a negotiated settlement could not be reached within an acceptable timeframe.

An initial EIA was appended to the following reports and considered by Members:

13-570

14-49

14-576

**2. What is the rationale behind the policy?**

Officers have sought to negotiate with all the commercial tenants and long leaseholders (both residential and commercial) since the December 2014 Executive decision. Whilst there has been some engagement, and a number of tenants now have surveyors acting for them, there has been little substantive progress in agreeing terms although a claim has been received in respect of the head leasehold interests in numbers 241 and 245 Garratt Lane and negotiations are on-going. Claims have also been submitted on behalf of the lessees of the two remaining residential property interests at 235 and 247 Garratt Lane and negotiations are on-going. It is proposed to continue negotiating with the owners with a view to acquiring their interests by private agreement, however, it is considered prudent that the

Council formally resolves to make a CPO to ensure the redevelopment proposals can be delivered.

**3. What information do you have on the policy and the potential impact of your policy in relation to the following?**

	<b>List information you have.</b>
EIAs	Previous EIAs were prepared for the emerging proposals and for the new school and were submitted as part of Paper No.13-570 in September 2013 and Paper Nos. 14-49 and 14-576.
Race	There are nine parties with property interests, two of whom are yet to be acquired. 57% of those in occupation are BAME.
Gender	2011 Census data used (see section 4). Data not requested and therefore unknown on nine parties with property interests.
Disability	2011 Census data used (see section 4). Data not requested and therefore unknown on nine parties with property interests.
Age	2011 Census data used (see section 4). Data not requested and therefore unknown on nine parties with property interests.
Faith	2011 Census data used (see section 4). Data not requested and therefore unknown on nine parties with property interests.
Sexual Orientation	Data not collected.

**4. Thinking about each group below please list the impact that the policy will have.**

	<u>Positive</u> impacts of policy	Possible <u>negative</u> impacts of policy
Race	The 2011 Census data shows that 27.7% of the population of Earlsfield ward are BME. This is below the borough average of 28.8%.	There are nine parties with property interests, two of whom are yet to be acquired. 57% of those in occupation are BAME. This is above the borough and ward profile. In order to mitigate the impact of the proposed changes on these residents. , <i>it is proposed to continue</i>

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	<p>As stated earlier, the redevelopment proposals will facilitate a mixed use scheme providing a total of 190 residential units, comprising houses and flatted units providing a mix of private and affordable tenure, with associated amenity space including gardens, balconies and terraces; a new and significantly larger health centre , a new pharmacy measuring 94sq.m (approximately 21% larger than the existing pharmacy at 245 Garratt Lane) and two commercial units within buildings ranging between two and five-storeys high, together with the provision of hard and soft landscaping, enhanced pedestrian routes, and associated car parking and cycle parking.</p> <p>It is considered that any changes, such as the provision of a new health centre and pharmacy should not adversely impact on BAME residents. The public consultation did not raise any specific equality concerns.</p>	<p><i>negotiating with the property owners in the hope of acquiring their property interests by negotiation with the use of CPO powers being a means of last resort.</i></p>
<p>Gender</p>	<p>The 2011 Census data shows that 53.1% of the population of Earlsfield ward are female This is above the borough average of 51.6%.Any changes, such as a new health centre, will therefore marginally impact more on female residents than male. The public consultation did not raise any specific equality</p>	<p><i>None identified. However, it is proposed to continue negotiating with the property owners in the hope of acquiring their property interests by negotiation with the use of CPO powers being a means of last resort.</i></p>

	concerns.	
Disability	<p>The 2011 Census data shows that 2.5% of the population of Earlsfield ward are disabled or long term sick This is below the borough average Any changes, such as a new health centre, should therefore not adversely impact on disabled residents. The public consultation did not raise any specific equality concerns.</p>	<p><i>None identified However, it is proposed to continue negotiating with the property owners in the hope of acquiring their property interests by negotiation with the use of CPO powers being a means of last resort.</i></p>
Age	<p>The mean age for the ward is 33.2 as compared to 34.5. The public consultation did not raise any specific equality concerns.</p> <p>A small number of consultees raised the scope for the provision of new play facilities and this will be considered as part of the formal planning permission process.</p>	<p><i>None identified. However, it is proposed to continue negotiating with the property owners in the hope of acquiring their property interests by negotiation with the use of CPO powers being a means of last resort.</i></p>
Faith	<p>The 2011 Census shows that the faith population in Earlsfield broadly reflects the borough profile. Any changes, such as a new health centre, should therefore not adversely impact on residents or different beliefs or no belief. The public consultation did not raise any specific equality concerns.</p>	<p><i>None identified. However, it is proposed to continue negotiating with the property owners in the hope of acquiring their property interests by negotiation with the use of CPO powers being a means of last resort.</i></p>

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Sexual orientation	No data captured. The public consultation did not raise any specific equality concerns.	<i>None identified. However, it is proposed to continue negotiating with the property owners in the hope of acquiring their property interests by negotiation with the use of CPO powers being a means of last resort.</i>
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**5. Is a full EIA required? No.**

- Does the policy support a frontline service? Yes
- Is it clear what impact the policy will have on all the equality groups? Yes.
- Overall will the change have a negative impact on any of the equality groups? No.

**Comments - Please give the rationale here for not undertaking a full EIA**

No equality issues have been identified at this stage, however, the need for further assessments will be considered where relevant.

**6. Through the initial EIA have you identified any actions that needed to be implemented to improve access or monitoring of the policy? (please list)**

None identified at this stage.

Signed

Date 18.09.17

Approved by: Clare O'Connor