Equality Impact Assessment for CAPITAL PROGRAMME 2019 – 2030

Following the introduction of the Equality Act 2010 ('the EA') 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 the EA;
(b) advance equality of opportunity between persons who share a relevant protected characteristic (as defined by the EA) 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 protected characteristics set out in the EA are age, disability, race, pregnancy/ maternity, religion or belief, gender (including gender reassignment) and sexual orientation. Marriage and civil partnership are also protected characteristics for the purposes of the duty to eliminate discrimination. When making decisions the County Council also considers other matters such as the impact of rurality, deprivation and being a carer.

The 10 year Capital Programme requires members to have due regard to the Equality Duty contained in Section 149 of the EA as set out above.

Having "due regard" does not necessarily require the achievement of all the aims set out in section 149 of the EA. Instead it requires that members' understand the consequences of the decision for those with the relevant protected characteristics and consider these alongside other relevant factors when making the decision to pursue one course of action rather than another, alternative course of action that may have different consequences. The regard which is necessary will depend upon the circumstances of the decision in question, and should be proportionate. Where a decision is likely to have an impact on a significant number of people, or where it is likely to have a significant impact on even a small number of people, the regard required will be high.

This means that in setting the Capital Programme, the three equality aims set out above had to be considered as a relevant factor alongside financial constraints and all other relevant considerations. Due to the ongoing financial pressures the Council is facing, the current capital programme focusses on a strategy to deliver core need as efficiently as possible. As agreed, service developments and investment opportunities that are outside core need are required either to be match funded or produce a business case that demonstrates benefits. Approved bids are added to the programme in line with current variation policy and financial regulations. Members must consider the equalities impacts of the agreeing this capital programme. Specifically, Members need to take account of what the potential impacts of spending on this programme rather than other areas will be for the communities in East Sussex. It will be open to Directors and Lead Members at the time of taking those decisions to spend more on one activity and less or none on another.

The EA does not require an equality impact assessment (EIA) to be carried out; however the cases considering the public sector equality duty have held that an EIA is the best way to demonstrate that the equalities impacts have been identified and considered. Where a project which was included in the Capital Programme is likely to have impacts upon equalities, officers have considered the consequences for those with protected characteristics of that particular project or bid not being included in the Programme up to 2029/30, and have summarised these impacts for Members to consider. Where EIAs have been conducted these will be available as background documents.

	Impact on Protected Characteristics									**Comments**
	Age	Disability	Ethnicity	Gender & Transgender	Marriage and Civil Partnership	Pregnancy and Maternity	Religion & Belief	Sexual Orientation	No significant relevance to equality	
Adult Social Care										
Greenacres										Funded by NHSE Capital and ESCC will only contribute if there is shortfall.
CORE House Adaptations for Disabled People										

	Impact on Protected Characteristics									Comments
	Age	Disability	Ethnicity	Gender & Transgender	Marriage and Civil Partnership	Pregnancy and Maternity	Religion & Belief	Sexual Orientation	No significant relevance to equality	
Children's Services										
Schools Delegated Capital										
Conquest Centre Redevelopment										
CORE House Adaptations for Disabled Children's Carers										
Disability Children's Homes										

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	Age	Disability	Ethnicity	Gender & Transgender	Marriage and Civil Partnership	Pregnancy and Maternity	Religion & Belief	Sexual Orientation	No significant relevance to equality	
Business Services										
Lansdowne Secure Unit -Phase 2										
Early Years Nursery										
Agile Working										
SALIX - energy efficiency										
Schools Basic Need										We have a statutory duty to ensure we have sufficient pupil places across the County meeting the admissions code and distances of travel. If this scheme does not go ahead then there will not be sufficient pupil places across the county and we would be in breach of our statutory duty.
Special Educational Needs										
Specialist Provision in Secondary Schools										
Capital Building Improvements										Building improvements to ensure safety.
Westfield Lane										

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ICT Strategy Implementation										
Communities, Economy & Transport										
Libraries Basic need										Building improvements to ensure safety.
The Keep										
Highways Maintenance										Capital funding for structural maintenance will deliver the Asset Management Plan to improve highway condition. Better maintained roads and footways will help to eliminate trip hazards. The Highways Capital maintenance paper outlines the risks of not using Capital funding in this area.
Bridge Strengthening										As above
Street Lighting & Traffic Signals										As above
SALIX Energy Efficiency Scheme										
Rights of Way										The only parts which are to any extent capital funded are the improvements to surfaces and ramps and the replacement of stiles with gates and gaps, if not funded the lack of improvement will mean that people with the protected characteristics will have poorer access to rights of way.

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Hailsham Household Waste Recycling										As part of improvements consideration of access is included
Integrated Transport										
Real Time Passenger Information										Reflects the demographic of bus service users
Bexhill & Hastings Link Road										Fully funded by the Local Enterprise Partnership (LEP)
EDS Upgrading Empty Commercial Properties										
Registration Ceremonies Website										
Parking Ticket Machine Replacement										
Hastings Library										Consiseration of access issues considered
Bexhill Hastings Link Road Complementary Measures										Fully funded by the Local Enterprise Partnership (LEP)
Newhaven Port Access										Fully funded by the Local Enterprise Partnership (LEP)

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Queensway Depot Development										Fully funded by the Local Enterprise Partnership (LEP)
Exceat Bridge Replacement										Fully funded by the Local Enterprise Partnership (LEP)
Community Match Fund										Match funding to provide things such as pedestrian crossings
Economic Intervention Fund										
Enabling Fund										
e-Sussex Broadband Rollout										
Queensway Gateway										
East Sussex Growth Package										
Hastings and Bexhill Movement & Access Package										
Eastbourne Town Centre Phase 2										Consideration of access issues have been included in design
Eastbourne/South Wealden Walking & Cycling Package										

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Hailsham/Polegate/Eastbourne Movement & Access Package										
Terminus Road										Consideration of access issues have been included in design
Bexhill Enterprise Park North										
Skills for Rural Businesses Post Brexit										
Sidney Little Road Business Incubator Hub										