

Equality Impact Assessment for CAPITAL PROGRAMME 2023-24 to 2033-34

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, gender reassignment, pregnancy/ maternity, race, religion or belief, sex 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, where relevant.

The 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 people in relation to their 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 have 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, as identified, of agreeing this Capital Programme. Specifically, Members need to take account of what the potential impacts of spending on this proposed programme will be for the communities in East Sussex, and take the same account of equality impacts if proposing amendments or alternative spending. 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, with due reference to equality impacts. Where further assessment of equality impact is needed to assess more detailed plans, this has been indicated, and Directors and Lead Members will need to further consider these impacts and their implications for decisions.

The EA does not require the use of a specific template for an equality impact assessment (EqIA); however the cases considering the public sector equality duty have held that a documented process is the best way to demonstrate that the equalities impacts have been identified and considered, proportionate to the impacts identified. All proposals have been assessed for their equality impacts. Where a project which was included in the Capital Programme is likely to have disproportionate impacts upon people sharing protected characteristics, officers have considered the consequences of that particular project or bid and have summarised these impacts for Members to consider and identified potential mitigating actions. Where impacts are potentially greater and a full EqIA has been conducted these are available as background documents. Members must read the full version of the EqIAs and take their findings into consideration when determining these proposals.

CAPITAL PROGRAMME 2023/24 to 2033/34	
Proposal	Summary of equality impact assessment
Adult Social Care	
House Adaptations (Adults): Older People's/Learning Disability Service Improvements	No disproportionate equality impacts are identified. Requests for this fund are based upon individual assessment of need, and comprehensively screened to ensure they meet the agreed defined criteria for funding. An EqIA has been completed for this proposal and is attached: 'A Older People's/Learning Disability Service Improvements', updated in December 2023.

<p>Learning Disability Supported Living</p>	<p>To inform the project an initial EqIA was created with involvement from the care provider and from the Community Learning Disability Team. This supported the way in which the Beckley Close clients were prepared for their move into temporary accommodation while the build is in progress, including ensuring continuity in staff support and familiarity with the temporary building.</p> <p>There have been unavoidable delays to the project and to minimise impacts, clients, parents and carers are kept updated, and clients' well-being and behaviour is evaluated on an ongoing basis. No specific equality impacts have been identified and individual needs are being continually assessed. Lessons learned from the Beckley Close project will be applied to the Jasmine Lodge project.</p> <p>An EqIA has been completed for this proposal and is attached: 'B Learning Disability Supported Living' (updated December 2023 from original assessment in October 2021). This EqIA continues to be updated as the project progresses.</p>
<p>Greenacres</p>	<p>No disproportionate equality impacts are identified in relation to this funding. This funding is allocated for ongoing maintenance that ESCC is responsible for and also for specific adaptations required by new tenants to meet their identified needs. No further equality impact assessment is required.</p>
<p>Business Services</p>	
<p>SALIX Contract</p>	<p>No disproportionate equality impacts are identified in relation to this programme. Funding for this scheme was agreed previously. Programme relates solely to carbon reduction measures in schools and ESCC buildings, identified and prioritised based on energy consumption. No further equality impact assessment is required.</p>

<p>Youth Investment Fund</p>	<p>A number of potential impacts and benefits to people sharing protected characteristics have been identified. The planned capital improvements will allow the development of new open access universal youth services that are in line with the Family Hub / Youth Hub strategic development. The proposal will have a positive impact on young people in areas of coastal deprivation (Peacehaven) and rural isolation (Heathfield) Our Youth Hub model has key elements in place to ensure they are successful, including: fully accessible, environmentally sustainable state of the art facilities; universal and targeted support; support services and engaging positive activities; specialist trained staff and volunteers; embedded youth voice and participation mechanisms; and close partnership working to facilitate early intervention.</p> <p>An EqIA has been completed for this proposal and is attached: 'C Grant Funding for Youth Hubs' - reviewed and updated Nov 2023</p>
<p>Core Programme - Schools Basic Need</p>	<p>An EqIA has been completed for this proposal and is attached: 'D Schools Basic Need Capital Programme' was completed in January 2021 and updated in January 2024.</p>
<p>Special Educational Needs (SEN)</p>	<p>The EqIA for the schools' basic need capital programme includes information about the need for more SEN places. In addition, parents/carers and school communities were consulted on our SEND place planning strategy in May / June 2021. Respondents agreed with our priorities for provision and also identified further gaps in SEND provision across the county. A report on the findings of the consultation was shared with the East Sussex Parent and Carer Forum and posted on the ISEND local offer pages. The new School Organisation Plan 2023 to 2027 sets out our SEND place planning strategy in further detail (to be published in Dec).</p> <p>The EqIA 'D Schools Basic Need Capital Programme', updated in November 2022, is attached identifying impacts of this proposal.</p>

<p>Special Educational Needs – Grove Park Additional Places</p>	<p>The EqIA for the schools' basic need capital programme includes information about the need for more SEN places. In addition, we consulted parents/carers and school communities on our SEND place planning strategy in May / June 2021. Respondents agreed with our priorities for provision and also identified further gaps in SEND provision across the county. The EqIA 'D Schools Basic Need Capital Programme', updated in November 2022, is attached identifying impacts of this proposal. A full EqIA specifically for the Grove Park proposal will be undertaken at the stage of statutory proposals.</p>
<p>Disability Children's Homes</p>	<p>The proposal will lead to improvements in the service that can be provided to disabled children that need residential care, as more children who require this support will be able to access it. Plans for the site respond to the changing profile and needs of the disabled children and young people currently requiring full-time accommodation or respite care. Feedback from parents and carers clearly sets out the demand for more residential provision. This proposal responds directly to this identified need and feedback. There are potential benefits here for young people who need more of their own space and who are approaching transition period. There are benefits to young people and their families of more availability of specialist provision. No negative impacts are identified and no additional actions are required beyond those already included in the plans. An EqIA has been completed for this proposal and is attached: 'E Disability Children's Homes: Sorrel Drive' EqIA, completed in November 2022.</p>
<p>Core Programme - Capital Building improvements (schools)</p>	<p>Work related to legislation, statutory requirement, health and safety and urgent repair work, as identified via the condition surveys and plans that ensure that schools are maintained at a minimum requirement. No EqIA needed as spend is prioritised according to agreed Capital Programme priorities.</p>
<p>Core Programme - Capital Building improvements (corporate)</p>	<p>Work related to legislation, statutory requirement, health and safety and urgent repair works. No EqIA needed as spend is prioritised according to agreed Capital Programme priorities.</p>

Core Programme - IT & Digital Strategy implementation	An EqIA has been completed for this proposal and is attached: 'F IT&D Core Programme' EqIA, completed in 2021.
Children's Services	
House Adaptations for Disabled Children's Carers Homes	<p>The proposal has the potential for positive impact on the protected characteristic of 'age' and 'disability' – as the capital for house adaptations is aimed at support children and young people who are disabled. The is to improve the adaptability of homes so that disabled children can have accessible facilities.</p> <p>The Disabled Facility Grant (DFG) is allocated by central Government direct to District and Borough Councils. The grant is intended to provide for adaptations to the homes of adults and children with disabilities. Where the needs of young people cannot be met by the DFG then the councils can approach ESCC for additional capital funding (with a fixed maximum). Each application is assessed against previously agreed criteria to ensure fair allocation of resource.</p> <p>No further equality assessment is required.</p>
Schools Delegated Capital	<p>No disproportionate equality impacts are identified.</p> <p>Schools delegated capital is funding that comes into the LA for maintained schools and then delegated to each school via a formula to be used for small capital works.</p> <p>No further equality impact assessment is required.</p>
Essential System Developments	<p>No equality impacts are identified.</p> <p>The aim is to ensure that ICT systems are fit for purpose for delivering modern council services in a digital era and protecting data. Improvements will enable better monitoring of people's legally protected characteristics to inform service delivery.</p> <p>No further equality impact assessment is required.</p>

Communities, Economy & Transport

Broadband	<p>No disproportionate equality impacts are identified.</p> <p>Equality impacts were assessed prior to contract award for each of the three infrastructure delivery contracts (2013, 2015 and 2018) and prior to becoming a “top up” funder to DCMS’s Gigabit Voucher Scheme (2020).</p> <p>No disproportionate impacts were identified, as eligibility is based on technical criteria relating to properties not occupiers.</p> <p>No further equality impact assessment is required. The project is now in contract closure and no further build will take place. ESCC remains a “top up” funder.</p>
Council’s Climate Emergency Works	<p>No equality impacts are identified in this proposal because the Climate Emergency Plan (CEP) is a high-level plan and, as such, much of the implementation detail will be in plans and strategies that fit in below the main CEP and because the Plan will not have a direct impact on services provided to East Sussex residents.</p> <p>Individual EqlAs are being developed for specific projects, where this is required and all identified impacts and mitigating actions are being addressed within these projects.</p> <p>No further equality impact assessment on the CEP is required.</p>
Flood & Coastal Resilience Innovation Programme	<p>The project will monitor water levels to understand and then better manage flooding risk in the catchment area. Communications and engagement plans have been designed to identify, understand and be responsive to diverse people’s needs.</p> <p>This includes reaching out to individuals and groups that may have been under-represented in the past, to ensure their views are included and considered; communicating across different platforms and using a wide range of methods; and following best practice in design and programming to reduce the barriers to involvement. An ongoing process of evaluation throughout the programme ensures any additional impacts are identified to improve engagement over time.</p> <p>No further equality impact assessment is required at this time.</p>

<p>Bexhill and Hastings Link Road (BHLR) Complementary Measures</p>	<p>No disproportionate equality impacts are identified. Work on the Link Road has been completed. Remaining spend relates to completion costs and there are no equality impacts arising from the remaining funding. No further equality impact assessment is required.</p>
<p>Economic Intervention Fund - Grants</p>	<p>No disproportionate equality impacts are identified. Grants are offered to expanding or relocating businesses, thus the applicants are generally established companies. An EqIA is not required at this time as grants are made to qualifying business entities not individuals.</p>
<p>Economic Intervention Fund - Loans</p>	<p>No disproportionate equality impacts are identified. The ESI Loan fund is a revolving self-financing fund from an original allocation from the capital programme and the Government's Regional Growth Fund eight years ago. As with the grants it is aimed at supporting existing businesses grow or relocate to the county. Loans are made to qualifying business entities not to individuals. No further equality impact assessment is required.</p>
<p>Stalled Sites</p>	<p>No disproportionate equality impacts are identified. This is a residual fund originally allocated in 2015. It is open to owners of sites that are undeveloped due to difficult site constraints and helps with funding site investigation and business cases and in some cases provides loans for pre-development work. The eligibility is based on the site not the owners. Applications also come from local authorities. No further equality impact assessment is required.</p>
<p>Community Match Fund</p>	<p>Equality Impact Assessments are completed for each project within this fund. Impacts may vary depending on the project funded. Funding for this scheme was agreed previously. Funding allocation is per agreed annual spend and follows agreed spend criteria.</p>

Community Road Safety Interventions	<p>No disproportionate equality impacts are identified.</p> <p>Allocation of £250k per year from the current Community Match underspend to provide community focused road safety interventions, based on two stage appraisal process and criteria. Criteria include assessment of location, including proximity to schools, GP surgeries, hospitals and shops where road users may be more vulnerable.</p> <p>No EqIA is needed.</p>
Newhaven Port Access Road	<p>No disproportionate equality impacts are identified.</p> <p>Note: this project is concluding and has followed previously agreed plans.</p> <p>No further equality impact assessment is required.</p>
Real Time Passenger Information	<p>The project is an ongoing one, based on previously agreed principles. Impacts are positive in that the project aims to provide additional, accessible information to support people to access bus services.</p> <p>The EqIA 'G Bus Service Improvement Plan' EqIA, completed November 2022, is attached identifying impacts of this proposal.</p>
Bus Service Improvement Plan	<p>People sharing the following characteristics may experience barriers when accessing buses which the BSIP aims to address: age (older and younger people), disability, ethnicity, religion, sexual orientation, gender reassignment, sex (women). There are also potential positive impacts in relation to rurality and people on low incomes. The improvements made by the BSIP aim to improve accessibility for all. There will also be an ongoing engagement mechanism organised with the independent watchdog Transport Focus.</p> <p>An EqIA has been completed for this proposal and is attached: 'G Bus Service Improvement Plan' EqIA, completed November 2022.</p>
Queensway Depot Development	<p>No disproportionate equality impacts are identified.</p> <p>The project is to develop a new building. Any requirements in relation to building accessibility will be considered in planning stages.</p> <p>No further equality impact assessment is required.</p>
The Keep	<p>There are three proposals:</p> <ol style="list-style-type: none"> 1. Internal maintenance, flooring and furniture: No equality impacts are identified as there will be no changes to accessibility within the building. No further assessment required. 2. Building Maintenance System (BMS): No equality impacts are identified as the BMS regulates only temperature and humidity of building. No further assessment required. 3. Security improvements: No disproportionate equality impacts are identified. No further equality assessment is required.

Other Integrated Transport Schemes	EqIAs are completed for each project in this programme. Impacts may vary according to the detail of the project. Impacts and actions are identified in the specific EqIA for each project
Area Wide Traffic Management Schemes – Schools Streets	Equality impacts are identified in this proposal and an equality impact assessment is in progress. Throughout the co – design engagement phase and design process of the School Streets scheme, consideration has been given to identify any groups that are at risk of being excluded from engagement, and to identify appropriate methods for engagement. Sustrans are developing an equality impact assessment at the moment as part of the design work, which is not yet finalised. This will be available in early 2024.
Area Wide Traffic Management Schemes – Eastbourne Liveable Town Centre	Both positive and potentially negative impacts have been identified in relation to disabled people, race/ethnicity and pregnancy and maternity, in the designs for Memorial Roundabout, the Ring Road Relocation and pedestrianisation. Issues identified are being incorporated into the designs. An EqIA has been completed for this proposal and is attached: ‘H Eastbourne Town Centre MAP P2b’.
Exceat Bridge Replacement	Work on this project is ongoing and impacts identified in the EqIA remain accurate. An EqIA has been completed for this proposal and is attached: ‘I Exceat Bridge’ EqIA, completed in 2019 and reviewed in 2023, and also ‘J Exceat Orders’ EqIA (on the side roads orders and compulsory purchase orders), completed in June 2023.
Libraries Basic Need	An EqIA and access audit are being completed for each refurbishment once initial scoping has been completed. All alterations linked to findings have been made prior to full specifications being drafted for tender to ensure that we have an accurate assessment of works proposed which reflect the needs of the service. EqIAs have been completed for this proposal and are attached: ‘K Libraries Capital Programme: Bexhill’ and ‘L Libraries Capital Programme: Seaford’.
Peacehaven Library Refurbishment and Conversion	The assessment in ‘Libraries Basic Need’ above applies.

<p>Core Programme - Highways Structural Maintenance</p>	<p>No disproportionate equality impacts are identified. Maintenance of public highways and public rights of way across the county is a statutory requirement of the County Council under the Highways Act. Priorities are defined based on the overarching principle of 'Asset Condition', which is that the Council ensures that it is investing in its assets to maintain a basic level of condition, which allows the Council to deliver its Priority Outcomes, meeting any security and health and safety requirements. All potential projects are assessed against agreed criteria. No further equality impact assessment is required.</p>
<p>Core Programme - Bridge Assessment Strengthening</p>	<p>No disproportionate equality impacts are identified. As traffic continues to increase on our roads there is requirement for a programme of bridge strengthening and replacement to ensure they remain safe. Priorities are defined based on the overarching principle of 'Asset Condition', which is that the Council ensures that it is investing in its assets to maintain a basic level of condition, which allows the Council to deliver its Priority Outcomes, meeting any security and health and safety requirements. All potential projects are assessed against agreed criteria. No further equality impact assessment is required.</p>
<p>Core Programme - Street Lighting and Traffic Signals</p>	<p>No disproportionate equality impacts are identified. Programme ensures that street lighting is adequate and, as the existing stock comes to the end of its life, it is replaced with modern, energy efficient, technology that also addresses the issue of light pollution. Also ensures that the maintenance of traffic signals is adequate to meet the needs of maintaining safe roads and that meet the needs of all users. Priorities are defined based on the overarching principle of 'Asset Condition', which is that the Council ensures that it is investing in its assets to maintain a basic level of condition, which allows the Council to deliver its Priority Outcomes, meeting any security and health and safety requirements. All potential projects are assessed against agreed criteria. No further equality impact assessment is required.</p>

<p>Core Programme - Rights of Way Surface Repairs and Bridge Replacement Programme</p>	<p>No disproportionate equality impacts are identified. Programme maintains and protects the public's right to use the 2000 miles (3,500km) of footpaths, bridleways and byways in East Sussex. Priorities are defined based on the overarching principle of 'Asset Condition', which is that the Council ensures that it is investing in its assets to maintain a basic level of condition, which allows the Council to deliver its Priority Outcomes, meeting any security and health and safety requirements. All potential projects are assessed against agreed criteria. No further equality impact assessment is required.</p>
<p>Gypsy and Traveller Site Refurbishment</p>	<p>ESCC own and manage four permanent Travellers' sites and one transit site across the County. Gypsies, Roma and ethnic Travellers are racial groups as defined in s9 Equality Act 2010. ESCC is responsible for providing and maintaining communal amenity block facilities, including a kitchen and bathroom. Capital funding for a rolling basic refurbishment and maintenance programme is required to ensure that amenity block facilities are safe and meet the basic needs of our Gypsy and Traveller communities. No further equality impact assessment is required.</p>
<p>Local Enterprise Partnership (LEP)/South East Local Enterprise Partnership (SELEP) schemes</p>	<p>Responsibility for these previously LEP funded schemes is expected to be transferred to ESCC in April 2024, following the Government's decision to no longer fund LEPs, and subject to further Government guidance. Once the SELEP and East Sussex integration action plans have been approved, work will commence on the implementation phase which will be undertaken throughout 2024. As part of this, ESCC will be responsible directly to Government for ensuring that equality impacts and actions are identified in LEP funded projects and any residual funds as appropriate. Projects where the County Council is the lead will be subject to the same EqlA processes that apply to all projects in the capital programme. The schemes are: Eastbourne Town Centre Phase 2a, Eastbourne Town Centre Phase 2b, Eastbourne/South Wealden Walking & Cycling Package, Hailsham/Polegate/Eastbourne Movement & Access Corridor, and Hastings & Bexhill Movement & Access Package</p>