

Winchester City Council



## Data and Equality Impact Assessment

When undertaking your Data and Equality Impact Assessment for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed against the Data Protection Act 2018 and General Data Protection Regulations and the public sector equality duty, as set out at section 149 of the Equality Act 2010.

The checklist below is to help you sense check your policy or project before you move to Section 2. Note that the public sector duty is inclusive and not exclusive if there are any other relevant matters please insert a row.

### Section 1 - Data Checklist

|   |   | Yes/No | Please provide details   |
|---|---|--------|--|
| 1 | Have there been any complaints data related to the policy or project you are looking to implement?  | No     | There have been no complaints data related to project to be implemented.   |
| 2 | Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented? | Yes    | The project was run by a small team due to the commercial content of the deal. The implementation for this project is the delivery of the Heads of Terms, and Agreement for lease. All appropriate officers have reviewed the project. |
| 3 | Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?   | No     | There is no formal statutory requirement for consultation in this proposed leasehold disposal. A community presentation by the university did not highlight any concerns from an equality impact perspective                           |
| 4 | Do you have any concerns regarding the implementation of this policy or project?  | No     | The implementation of this project will be undertaken in   |

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|   | <i>(i.e. Have you completed a self-assessment and action plan for the implementation of your policy or project?)</i>   |     | accordance with the equality objectives of the University of Southampton as well as the equality duties owed by the Council, found here: <a href="https://www.southampton.ac.uk/diversity/our-commitment/objectives.page">https://www.southampton.ac.uk/diversity/our-commitment/objectives.page</a> and data protection policies found here <a href="https://www.southampton.ac.uk/legalservices/what-we-do/data-protection-and-foi.page">https://www.southampton.ac.uk/legalservices/what-we-do/data-protection-and-foi.page</a> The steering group will undertake EqIA's and data self assessment as the project evolves and is implemented. |
| 5 | Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact on your policy or project? | No  | The data is captured in the self-assessment as below.   |
| 6 | Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from a data protection point of view?         | Yes | This is a Land Transaction. The lease will be published on the HMLR website by Land Registry.   |
| 7 | Are there any other issues that you think will be relevant?  | No  |   |

## Section 2 - Your Equality Impact Assessment form

|                     |   |                  |  |   |
|---------------------|---|------------------|--|---|
| <b>Directorate:</b> | <b>Your Service Area:</b><br>Strategic Director | <b>Team:</b> ELB | <b>Officer responsible for this assessment:</b><br>Dawn Adey | <b>Date of assessment:</b><br>November 2021 |
|---------------------|---|------------------|--|---|

|   | <b>Question</b>   | <b>Please provide details</b>   |
|---|---|---|
| 1 | What is the name of the policy or project that is being assessed? | Land Transaction – former River Park Leisure Centre Site  |
| 2 | Is this a new or existing policy?                                 | The decision relates to a land disposal transaction.  |
| 3 | Briefly describe the aim and purpose of this work.                | The project is a disposal of land to the University of Southampton, which would enable the university to bring forward their proposal for a transformational development to the Winchester School of Art campus at the land currently occupied by the now closed RPLC and leisure centre parking area. It contributes to a 'youth and culture corridor' creating opportunities for young people to learn and develop in accordance with equality legislation. In addition the proposed disposal to the university will ensure continued public access and management of the skatepark and the bowling centre. |
| 4 | What are the associated objectives of this work?                  | To secure a future for the site in keeping with corporate policies and priorities, and provide opportunities for the younger generation.  |
| 5 | Who is intended to benefit from this work and in what way?        | This land proposal would provide increased presence of a Russell Group University in Winchester, benefitting the young by providing 'a nationally and internationally recognised significant centre for art, design and creative industries education, research and innovation'. This will create education opportunity and employment opportunity for  |

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|   |  | <p>younger people.</p> <p>The young, elderly and parents will also benefit from this decision. Ensuring the skate park stays open and providing increased access to diverse creative forms of education benefits the younger generation of Winchester. Maintaining public access to the grass area and hence passive recreational activities such as walking, picnics and running benefits a wide group of residents particularly parents and the elderly. The heads of terms associated with the land transaction include maintaining the bowling club benefitting an older segment of residents and retaining access to disabled sports facilities.</p> |
| 6 | What are the outcomes sought from this work?   | To dispose of the land to secure its future in a deal which offers the new use of the land in fitting with the Councils corporate priorities and at an appropriate price point.   |
| 7 | What factors/forces could contribute or detract from the outcomes?                             | A delay to the implementation of the project may result in the loss of the proposal and therefore loss of an economic and creative asset for all generations of users.  |
| 8 | Who are the key individuals and organisations responsible for the implementation of this work? | The Council has a directly employed asset management team which manages property disposal. Implementation of any new proposal will be led by the University of Southampton, who have their own equality objectives  |

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|    |   | Please select your answer in <b>bold</b> . Please provide detail here.         |          |  |
| 9a | Could the policy or project have the potential to affect individuals or communities on the basis of race differently? | Y  | <b>N</b> | The land disposal will not have an effect on an individual or group of the community on the basis of race. |
| 9b | What existing evidence (either presumed or otherwise) do you have for this?   | Our latest data on Race in Winchester District is found <a href="#">here</a> . |          |  |

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| 10a | Could the policy or project have the potential to affect individuals or communities on the basis of gender?   | Y  | N | The land disposal will not negatively affect an individual or group of the community on the basis of gender.   |
| 10b | What existing evidence (either presumed or otherwise) do you have for this?   | Our latest data on gender in Winchester District is found <a href="#">here</a> .   |   |  |
| 11a | <p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>(you may wish to consider:</i></p> <ul style="list-style-type: none"> <li>• <i>Physical access</i></li> <li>• <i>Format of information</i></li> <li>• <i>Time of interview or consultation event</i></li> <li>• <i>Personal assistance</i></li> <li>• <i>Interpreter</i></li> <li>• <i>Induction loop system</i></li> <li>• <i>Independent living equipment</i></li> <li>• <i>Content of interview)</i></li> </ul> | Y  | N | Some members of the public rely on the parking in this area to visit adjacent public space and possibly to visit neighbouring properties where on street parking is limited and permit controlled. The land transaction has the potential to limit parking access at River Park and the open spaces. Some people with disabilities will be more reliant on vehicular access and therefore have a greater need for parking. |
| 11b | What existing evidence (either presumed or otherwise) do you have for this?   | Our latest data on ability in Winchester District is found <a href="#">here</a>  |   |  |
| 12a | Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation?   | Y  | N | The land disposal will not have an effect on an individual or group of the community on the basis of sexual orientation.   |
| 12b | What existing evidence (either presumed or otherwise) do you have for this?   | We do not hold data based on sexual orientation. Our impact assessment has been based on the transaction being a land disposal. No part of this land is specifically dedicated to provide community facilities based on, or generally used by any group of people who might wish to accept services based on their sexual orientation. |   |  |
| 13a | Could the policy or project have the potential to affect individuals or group of community on the basis of age?   | Y  | N | This land proposal will have a positive impact on the young, providing an increased presence   |

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|     |   |                       | <p>of a top University in Winchester. This would benefit the young by providing 'a nationally and internationally recognised significant centre for art, design and creative industries education, research and innovation'. This will create education opportunity and employment opportunity.</p> <p>The land disposal includes continuation of management for the benefit of the public of the Skate park and the Bowls Club which will result in a neutral benefit and effect for the younger and older generation, due to the arrangements being at lease/landowner level and not directly impacting the club or users. The evidence base for the users is on the assessment below.</p> <p>The proposal from the University is aimed at all ages but will proportionately benefit younger people. This could bring wider benefits that affect young people such as jobs and diverse recreational and social opportunities.</p> <p>The land disposal will not have a negative effect on an individual or group of individuals of the community on the basis of age. The land disposal will enable the open space land to remain open for the elderly to enjoy. Parking spaces for blue badge holders will also remain through this land disposal.</p> |
| 13b | What existing evidence (either presumed or otherwise) do you have for this? | See below assessment. |   |

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| 14a | Could the policy or project have the potential to affect individuals or communities on the basis of religious belief?   | Y   | <b>N</b> | The land disposal will not have an effect on an individual or group of the community on the basis of religious belief.  |
| 14b | What existing evidence (either presumed or otherwise) do you have for this?   | Our latest data on religious belief in Winchester District is found <a href="#">here</a>  |          |   |
| 15a | Could this policy or project have the potential to affect individuals on the basis of gender reassignment?  | Y   | <b>N</b> | The land disposal will not have an effect on an individual or group of the community on the basis of gender reassignment.   |
| 15b | What existing evidence (either presumed or otherwise) do you have for this?   | We do not hold data based on gender reassignment. Our impact assessment has been based on the transaction being a land disposal. No part of this land is specifically dedicated to provide community facilities based on, or generally used by any group of people who might consider themselves to be in this group. |          |   |
| 16a | Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership?   | Y   | <b>N</b> | The land disposal will not have an effect on any individual or group of the community on the basis of marriage and civil partnership.                                   |
| 16b | What existing evidence (either presumed or otherwise) do you have for this?   | Our latest data on marital status in Winchester District is found <a href="#">here</a>  |          |   |
| 17a | Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity?  | Y   | <b>N</b> | The land disposal will not have a negative effect on an individual or group of the community on the basis of pregnancy and maternity. The open green space will remain. |
| 17b | What existing evidence (either presumed or otherwise) do you have for this?   | Our latest data on population statistics in Winchester District is found <a href="#">here</a> – this can be used to access birth statistics   |          |   |
| 18  | Could any negative impacts that you identified in questions 9a to 17b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics? | Y   | <b>N</b> | The project has been reviewed and none are identified.  |
| 19  | Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your                 |   |          | Race: n/a- as no negative impact identified   |
|     |   |   |          | Gender: n/a- as no negative impact identified   |
|     |   |   |          | Disability: Impact of reducing the available  |

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|    | answer opposite against the relevant protected characteristic.   | <b>Y</b>  | <b>N</b> | <p>number of parking spaces identified – mitigated by retaining 77 spaces to ensure people who need to park cars near the Park and site can still do so.</p> <p>Sexual orientation: n/a- as no negative impact identified</p> <p>Age: Y – The bowls club are transferring with the intention of them remaining and potentially receiving improved services from their new owner. The Skate park is being protected from within the legal agreements to ensure the Council has a veto on its future.</p> <p>Gender reassignment: n/a- as no negative impact identified</p> <p>Pregnancy and maternity n/a- as no negative impact identified</p> <p>Marriage and civil partnership: n/a- as no negative impact identified</p> <p>Religious belief: n/a- as no negative impact identified</p> |
| 21 | How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above? | Continuous review and ensuring that the implementation/ steering group includes PSED equality objectives in its terms of reference. Also requiring the university to adhere to its own equality objectives. |          |  |
| 22 | Do any negative impacts that you have identified above impact on your service plan?  | <b>Y</b>  | <b>N</b> | No   |

|                              |  |
|------------------------------|--|
| Signed by completing officer |  |
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| Signed by lead officer | Dawn Adey |
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## 1. The purpose of the proposal or decision required

The Council owns a parcel of land located at River Park Leisure Centre site fronting Gordon Road. The leisure centre on this site was decommissioned upon the opening of the new Winchester Sport and Leisure Park in May 2021.

This report assesses the impact of the proposed disposal of land to the University of Southampton which would enable the university to bring forward their proposal for a transformational development to the Winchester School of Art campus at the land currently occupied by the now closed RPLC and associated parking area.

Impacts considered are:

The disposal of the land

## 2. EVIDENCE USED/CONSIDERED

The decision to close the building on this land was made historically and the impact on people of that closure would have been considered at that time. The scope of people impacted on the disposal of the land is therefore:

1. Users of the Skate park
2. Users of the Bowls club

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3. Users of the car park
4. Members of the public who pass through the land

### User insight:

Users of the skate park – the skate park is used by wide age group from 5-40 years. They are usually there at different times of the day / evening – younger children in the morning and then 11-40 year olds in the afternoon and evening. RoSPA reports nationally that the average age of skateboarders is between 13 and 14. 90% of them are male.

Users of the Bowls club – There are 280 members at Riverside Bowls Club. It is open 7 days a week from 10am – 6pm for practice and matches, with competitions taking place on weekends. The demographics of the club are mostly retired people, ages range from 50 – 85 years old. National articles on-line indicate that the number of users is decreasing, county level players are estimated to be in their 30's and that the sport was affected by covid as members could not use the clubs and therefore did not pay membership fees resulting in some clubs closing.

Users of the car park - Data is found in the Winchester Movement Strategy [data](#)

[set](#). We monitored the car park for evening use and received data that less than 10 cars were parked overnight on each night we assessed.

Members of the public who pass through the land – we do not collate this specific data but can use the district [population data](#) as a source.

### 3. CONSULTATION

We have met with skate park users and received resident feedback. They are keen to see the skate park protected by the Council.

We have met with the bowls club Chairman who understood the process of the land transaction. The club are keen to be consulted on any future steps which impact the club location/facilities once the transaction is completed.

We have held a public forum which was available to members of the public including those who pass through the land and people who park in the car park. Feedback was invited via an online Q&A and via telephone and email. Feedback has been around the new (proposed) use of the site and accessibility to the site.

The public forum was held on-line due to covid restrictions. We reached 191 attendees. To reach a non-online audience the Council liaised with the printed press and an article was printed in the

local press in the week commencing 1 November 2021.

Feedback from the public has been gathered through telephone, email and on-line forums as well as face to face directly to Members.

#### **4. ASSESS LIKELY IMPACT**

Skate Park users - The lease arrangements in place to protect the skate park will result in no change for the users. NEUTRAL IMPACT

Bowls Club – The lease arrangements for the Bowls Club will transfer to the University. This will result in no change for the users. NEUTRAL IMPACT

The change of number of car park spaces will impact the users of those spaces. This change is proposed in keeping with the Winchester Movement Strategy which has a full impact assessment. The Heads of Terms protects a number of car parking spaces for onsite parking to ensure those with protected characteristics can still visit the adjacent public open space. NEUTRAL IMPACT

The impact on the people who pass through the land - should accessibility to the land and any new buildings on it change as an outcome of the Universities proposal, they will address regulatory accessibility requirements at that time. NEUTRAL IMPACT on assessment on entering an agreement for lease.

#### **5. WHAT ACTIONS CAN BE TAKEN TO MITIGATE ANY ADVERSE IMPACTS?**

Car Parking spaces have been kept ensuring accessibility to the adjacent open space.

**6. ACTIONS TO BE TAKEN**

None

**7. MONITORING ARRANGEMENTS**

If the disposal is agreed – a Steering group will be set up.

The terms of reference for that group would include that equality monitoring and reporting are presented to the group for discussion.

**8. ACTION PLANNING**

No further actions.

**9. PUBLISH THE EIA**

EIA will be published with CAB3342