

Equality Impact Analysis

This equality impact analysis establishes the likely effects both positive and negative and potential unintended consequences that decisions, policies, projects and practices can have on people at risk of discrimination, harassment and victimisation. The analysis considers documentary evidence, data and information from stakeholder engagement/consultation to manage risk and to understand the actual or potential effect of activity, including both positive and adverse impacts, on those affected by the activity being considered.

To support completion of this analysis tool, please refer to the equality impact analysis guidance.

Section 1 – Analysis Details (Page 5 of the guidance document)

Name of Policy/Project/Decision	Prestwich Village Regeneration Scheme: Delivery of Phase 1A (Travel Hub) – Legal Structure and Funding Approval
Lead Officer (SRO or Assistant Director/Director)	Rob Summerfield, Assistant Director of Regeneration Delivery
Department/Team	BGI / Major Projects
Proposed Implementation Date	17 th July 2024 onwards
Author of the EqlA	Liz Gudgeon, Major Projects Manager (Prestwich)
Date of the EqlA	01/07/24

1.1 What is the main purpose of the proposed policy/project/decision and intended outcomes?

(Can embed or link to existing report/document in this section)

To approve the recommended legal structure, procurement strategy and funding strategy for the delivery of Phase 1A (Travel Hub) of the Prestwich Village Regeneration Scheme.

In terms of the legal structure and procurement strategy, approval is also being sought for Bury Council to commence the recommended procurement process in accordance with the legal structure of the existing Prestwich Regeneration LLP (the Joint Venture partnership with Muse) and for Bury Council to be treated as a contracting authority under the Public Contract Regulations (PCR) 2015. This is to ensure the procurement route complies with these regulations and can demonstrate best value.

The other outcome is to seek approval to fund the delivery of Phase 1A (Travel Hub) as per the funding strategy that has previously been agreed at JV Board 13th May 2024.

The legal structure, recommended procurement strategy and funding strategy are complete, hence asking for approval through the Cabinet report. The actual procurement process to appoint a contractor to deliver the Travel Hub will commence post Cabinet approval will be concluded prior to the commencement of works on site i.e. September/October 2024.

The key stakeholders are:

- Internal – Bury Council’s Legal and Finance teams have been supporting the Major Projects team with advice, guidance, support and decision making with the review of the legal structure and procurement and funding strategies.
- External – Engagement with Muse (as the Joint Venture partner) due to their legal position in the Prestwich Regeneration LLP (the Joint Venture) and a legal lawyer to support the Council with a review of the legal structure and procurement strategy.

Section 2 – Impact Assessment (Pages 6 to 10 of the guidance document)

2.1 Who could the proposed policy/project/decision likely have an impact on?

Employees: **Yes/No (state reasons for answering ‘no’)**

Community/Residents: **Yes/No (state reasons for answering ‘no’)**

Third parties such as suppliers, providers and voluntary organisations: **Yes/No (state reasons for answering ‘no’)**

If the answer to all three questions is 'no' there is no need to continue with this analysis.

2.2 Evidence to support the analysis. Include documentary evidence, data and stakeholder information/consultation

Documentary Evidence:

The Prestwich Regeneration LLP (Joint Venture company with Muse) was approved at Cabinet on 13th October 2021 and there is a Joint Venture Agreement in place. Through this agreement, Bury Council has relied on exclusive rights to be able to appoint Muse as a partner without competition but at the time, it was acknowledged that this was not without a risk of challenge. There is also a risk of challenge as to how Muse will appoint a building contractor to deliver Phase 1A (Travel Hub).

To therefore reduce the identified risk, it has been determined that the Pagabo Developer-Led Framework should be used to enable the Council to legally appoint Muse who in turn can legally appoint a building contractor and that by doing so can demonstrate compliancy with the PCR 2015 and show best value.

Copies of the Joint Venture Agreement and Pagabo Framework Agreement will not be appended to this EqIA as they are commercially sensitive.

The funding strategy was discussed and approved at the Joint Venture Board meeting on 13th May 2024. There is documentary evidence, but this will also not be appended to the EqIA as it is an internal financial document, but it does justify how Phase 1A (Travel Hub) can be funded.

Data:

Relevant data to the decisions required is contained in the reports referred to in the above section.

Stakeholder information/consultation:

The key stakeholders are:

- Internal – Bury Council’s Legal and Finance teams have been supporting the Major Projects team with advice, guidance, support and decision making with the review of the legal structure and procurement and funding strategies.
- External – Engagement with Muse (as the Joint Venture partner) due to their legal position in the Prestwich Regeneration LLP (the Joint Venture) and a legal lawyer to support the Council with a review of the legal structure and procurement strategy.

With regard to the decisions required, it was not relevant to consult with other external stakeholders e.g. public, community groups etc.

The approval of the recommended legal structure and procurement strategy for the delivery of Phase 1A (Travel Hub) of the Prestwich Village Regeneration Scheme has a neutral impact on each of the nine protected characteristics as it is focussed on demonstrating compliance with the PCR 2015 and best value. This is not directly linked to any groups of people with protected inclusion characteristics.

The approval of the funding strategy is a finance-related matter and also does not directly link to any groups of people with protected inclusion characteristics.

2.3 Consider the following questions in terms of who the policy/project/decision could potentially have an impact on. Detail these in the impact assessment table (2.4) and the potential impact this could have.

- Could the proposal prevent the promotion of equality of opportunity or good relations between different equality groups?
- Could the proposal create barriers to accessing a service or obtaining employment because of a protected characteristic?
- Could the proposal affect the usage or experience of a service because of a protected characteristic?
- Could a protected characteristic be disproportionately advantaged or disadvantaged by the proposal?
- Could the proposal make it more or less likely that a protected characteristic will be at risk of harassment or victimisation?
- Could the proposal affect public attitudes towards a protected characteristic (e.g. by increasing or reducing their presence in the community)?
- Could the proposal prevent or limit a protected characteristic contributing to the democratic running of the council?

2.4 Characteristic	Potential Impacts	Evidence (from 2.2) to demonstrate this impact	Mitigations to reduce negative impact	Impact level with mitigations Positive, Neutral, Negative
Age	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to the age of an individual.	n/a	Neutral
Disability	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to an individual with a disability.	n/a	Neutral
Gender Reassignment	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to gender reassignment.	n/a	Neutral
Marriage and Civil Partnership	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to the status of an individual.	n/a	Neutral

2.4 Characteristic	Potential Impacts	Evidence (from 2.2) to demonstrate this impact	Mitigations to reduce negative impact	Impact level with mitigations Positive, Neutral, Negative
Pregnancy and Maternity	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to an individual with pregnancy and maternity needs.	n/a	Neutral
Race	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to the race of an individual.	n/a	Neutral
Religion and Belief	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to the religion and belief of an individual.	n/a	Neutral
Sex	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to the sex of an individual.	n/a	Neutral

2.4 Characteristic	Potential Impacts	Evidence (from 2.2) to demonstrate this impact	Mitigations to reduce negative impact	Impact level with mitigations Positive, Neutral, Negative
Sexual Orientation	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to the sexual orientation of an individual.	n/a	Neutral
Carers	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to an individual with caring responsibilities.	n/a	Neutral
Looked After Children and Care Leavers	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to looked after children and care leavers.	n/a	Neutral
Socio-economically vulnerable	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to the socio-economic background of an individual.	n/a	Neutral

2.4 Characteristic	Potential Impacts	Evidence (from 2.2) to demonstrate this impact	Mitigations to reduce negative impact	Impact level with mitigations Positive, Neutral, Negative
Veterans	None	The approval of the recommended legal structure and procurement and funding strategies are irrelevant to veterans.	n/a	Neutral

Actions required to mitigate/reduce/eliminate negative impacts or to complete the analysis

2.5 Characteristics	Action	Action Owner	Completion Date
Not applicable			

Section 3 - Impact Risk

Establish the level of risk to people and organisations arising from identified impacts, with additional actions completed to mitigate/reduce/eliminate negative impacts.

3.1 Identifying risk level (Pages 10 - 12 of the guidance document)

Impact x Likelihood = Score	Likelihood			
	1	2	3	4

			Unlikely	Possible	Likely	Very likely
Impact	4	Very High	4	8	12	16
	3	High	3	6	9	12
	2	Medium	2	4	6	8
	1	Low	1	2	3	4
	0	Positive / No impact	0	0	0	0

Risk Level	No Risk = 0	Low Risk = 1 - 4	Medium Risk = 5 – 7	High Risk = 8 - 16
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3.2 Level of risk identified	Low = 4
3.3 Reasons for risk level calculation	<p>The Major Projects team has fully engaged with and involved the Council’s Legal (including procurement lawyer) team to ensure that the legal structure/procurement strategy complies with the PCR 2015 and can evidence best value by using the Pagabo Developer-Led Framework. This may still result in a small challenge to the Council subject to the selected building contractor or other contractors that may not be on this framework, but this can be mitigated through the correct usage of the framework and justification of why this framework has been selected.</p> <p>The Council’s Finance team has led on the development of the funding strategy and has determined the best route to enable Phase 1A (Travel Hub) to be delivered with little financial risk to the Council. Mitigating factors have been built into the funding strategy.</p> <p>With regards to external stakeholders e.g. local community, there is no risks with regards to the content of this Cabinet report directly affecting them as individuals e.g. quality of life, access to services etc.</p>

Section 4 - Analysis Decision (Page 11 of the guidance document)

4.1 Analysis Decision	X	Reasons for This Decision
There is no negative impact therefore the activity will proceed		
There are low impacts or risks identified which can be mitigated or managed to reduce the risks and activity will proceed	X	Please refer to 3.3
There are medium to high risks identified which cannot be mitigated following careful and thorough consideration. The activity will proceed with caution and this risk recorded on the risk register, ensuring continual review		

Section 5 – Sign Off and Revisions (Page 11 of the guidance document)

5.1 Sign Off	Name	Date	Comments
Lead Officer/SRO/Project Manager	Liz Gudgeon	01/07/24	
Responsible Asst. Director/Director	Rob Summerfield	01/07/24	
EDI	Lee Cawley	02/07/24	

EqIA Revision Log

5.2 Revision Date	Revision By	Revision Details