



EQUALITIES ANALYSIS IN LAMBETH

February 2022

Why complete Equality analysis?

There are **3 main reasons** why we carry out equality analysis:

Legal obligations: We have a statutory duty under the Equalities Act 2010 to consider how we can positively contribute to building a fairer society by advancing equality and good relations between communities in our day to day activities. Equality analysis helps organisations to consider whether a proposed decision or policy will help to advance equality, or not. It may also reveal whether there could be direct or indirect discrimination as a result of the decision.

Good policy-making: It is good practice for public services to think through in detail what impact a planned change might have before we implement it. An EIA is a tool to do this

Transparency: We are committed as an organisation to be transparent in our decision-making. This is good governance, and allows for accountability. EIAs provide vital information to the public on how decisions are taken.

What is an Equality Impact Assessment?

An **Equality Impact Assessment** provides vital information and analysis on the potential impact of policies or decisions on people who share as **'protected characteristics'** as described by the **Equality Act 2010*** [_click here_](#). In Lambeth we also consider the impact of decisions on health, socio-economic factors, and language. The EIA should also explore whether the policy or decision affects our statutory duty to advance equality of opportunity and foster good relations between communities.

In England, public bodies are not legally required to complete EIAs, but the courts place a lot of emphasis on the existence of some form of documentary evidence of compliance with the Public Sector Equality Duty when determining judicial review cases. Having an EIA as part of the report which goes to decision makers, and reference to the EIA within the report helps to demonstrate that we have considered our Public Sector Equality Duty and given 'due regard' to the effects the decision will have on different groups.

Read for more information on the Equality Act, Public Sector Equality Duty and definitions.

When to do an Equality Impact Assessment.

It is important to start early. Your equalities analysis should commence when you are developing your proposal i.e. policy/decision. This analysis should inform its development. The Equalities Act requires that equalities analysis is considered before (known as 'anticipatory duty') and during decision making. It cannot be completed after the decision. The full impact of a proposal may only be known after the proposals have been implemented; therefore it is important the effective monitoring is in place to assess the impact. Your analysis and EIA form should be completed and updated as the policy / decision progresses and reviewed after policies or change have been put in place. Where your equality analysis reveals that 'specific actions' are required to address potential impact, these actions should be clearly identifiable within any implementation or service plans

What happens if I don't complete one or it is not comprehensive?

At the most basic level, we will have missed the opportunity to make improvements to services so they better meet the needs of customers. From a legal perspective, if we were subject to a judicial review, a court will expect some form of written evidence to show we have fulfilled our responsibility under the Public Sector Equality Duty detailed above. It is also important that any reports or information going to anyone needing to take decisions, refers to your equalities analysis so they can consider it in their decision. The proforma includes guidance as well as helpful prompts to assist you when completing your analysis. If you require any further help please email: equalities@lambeth.gov.uk

EQUALITY ANALYSIS PROFORMA

Author :<i>Kay Milstead</i>	Extension:07834 106708
Directorate Corporate Resources	Department/Division Valuation and Strategic Assets

Please insert the title of the proposal

Letting of the Waterloo Undercroft, Waterloo Road, London SE1

Q1.What is changing?

Notes: What is the most significant or key change taking place? Can you indicate the type of change in your response (e.g. policy/decision/strategy/service/procedural/geographic/contractual etc.) so it is clear what is being equalities assessed? Why is this change happening? What do you aim to achieve? Can you clearly indicate what decision-makers are being asked to take a decision on? [Read more](#)

The Council is looking to make a decision to grant a lease of the 4 subterranean vaults which collectively form the Waterloo Undercroft to a food and beverage operator for use as a Culture, Entertainment and Food venue within the Sui Generis use under the Town and Country Planning (Use Classes) (Amendment) Regulations 2020. The premises, previously used for unheated storage, border some of the thoroughfares leading from around the Waterloo roundabout at surface level to the IMAX cinema at below ground level and which are used by members of the public to access the IMAX and to traverse the area between Waterloo Station and Waterloo Bridge. Many avoid this route as the experience is not always conducive to a sense of personal safety, particularly in the late evening, as some of the thoroughfares are used by the homeless for shelter, despite Lambeth's policy of 'No Second Night Out'. Frequent attendance by the Metropolitan Police led to the installation, some years ago, of security gates across Charlie Chaplin Walk, one of the main access routes and the only vehicular route into the Undercroft. A primary electricity sub-station for the area is also located on the corner of Charlie Chaplin Walk and Belvedere Road. The gates are closed between 7pm and 7am to deter incidents involving members of the public and arson resulting from lighting fires in the thoroughfares which increases the risk of a greater conflagration due to the partial enclosure of the Undercroft with timber partitioning.

The proposed use will enliven the space, increase footfall, stimulate economic activity and employment opportunities. It will provide a venue open to all for leisure use providing a wide choice of food and drink at average prices, broadly similar to Pop Brixton. It is a fully commercial transaction being granted at a market rent and not at a concessionary rent in exchange for social value initiatives, although the tenant will support these through its existing ESG policies. The income receipt and savings on the cost of current security provision will go towards other Council revenue expenditure.

The tenant will be under an obligation to secure planning and licensing consents, to carry out the works and to prepare and implement an Operational Management Plan to ensure the property is repaired, managed and secured properly during the trading hours permitted under any planning and licensing consents to be granted.

The tenant will liaise with neighbouring occupiers and representative groups to explain their proposals and will be under an obligation to prepare a Joint Community Engagement Plan. There will also be an opportunity to comment via the formal planning process.

The intention is to grant an agreement for lease within a month of making the decision and, subject to planning and licensing, to be operational by Summer 2022 once the tenant's works have been completed. The property will continue to be managed by the Valuation and Strategic Assets team.

Q1.b Who will be involved in approving this decision?

Cllr Andrew Wilson, Cabinet Member for Finance and Performance and Yvonne Hardy, Head of Valuation and Strategic Assets reporting to Fiona McDermott, Strategic Director of Finance and Investment

Notes: Who will be involved in signing-off this decision? [Read more](#)

Q2.What do we know about the people who will be impacted by this change?

Notes: What does your information tell you about the people who will be affected by this change?

Are protected groups impacted? What information do you hold on the protected characteristics of the people affected by the change? (Age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief, gender, sexual orientation, health, socio-economic, language) Are there any gaps or missing information?

[Read more](#)

As well as the public at large benefitting from a new leisure venue, local businesses and local residents are likely to be impacted.

Market analysis shows there is a gap in the market in this area for this type of venue, particularly now that Time Out have abandoned their proposals for a 30,000 sq ft food court in the former Eurostar terminal in Waterloo Station. Local businesses and their representative groups, notably the South Bank Employers' Group and the South Bank BID, will want to ensure any proposal maximises the attractiveness of the area and avoids negatively impacting on their or their members' interests. The Undercroft is considered to be sufficiently distant and separate so as not to impact negatively on existing small businesses and street markets, a view shared by the Local Planning Authority who have been consulted on the proposed use.

Lambeth has 36,000 economically inactive residents and 23,720 residents claiming out of work benefits. A high proportion of its population (76%) is young and/or of working age and 47% of Lambeth's population is from a BAME background. Research shows that 20% of small enterprises fail within the first 12 months, 30% in their second year and 50% after their fifth year. Those in Lambeth run by ethnic minorities and women face greater challenges, for example, in accessing resources such as funding due to a lower level of general prosperity in Lambeth compared to other London boroughs and particularly within the BAME community. Some 98.5% of Lambeth's businesses are small with between 1 and 50 employees. The proposed tenant's ESG policy will help to create employment and business opportunities for young, unemployed persons and business start-ups as it gives priority, when choosing its traders, to new and/or small independent businesses, focused on local businesses. It provides subsidised retail spaces and artists' studios, hosts weekly makers' markets, which support small independent businesses, and hosts various community and charity events on request. It may also assist in providing alternative space for relocating Pop Brixton tenants when the Brixton Central development works commence, anticipated around the end of 2023.

The tenant is already committed to paying the London Living Wage.

Potential impacts on visitors and residents living nearby will be predominantly environmental – sustainability, air quality, increase in carbon emissions, waste management, noise, odours and event management.

- **Air Quality/Carbon Emissions**

While cooking will give rise to some increase in carbon emissions, this is not expected to be significant. The venue is well located for access to public transport. There is very limited vehicular access which will be for deliveries and emergency vehicles only, with visitors accessing on foot.

Effective filtering of cooking areas will prevent leakage of food odours to the outside air and avoid nuisance to nearby businesses and residents. Overall, air quality should not be adversely affected.

- **Event Management**

An Event Management Plan will be a requirement of any planning consent and this will address maximum numbers permitted, crowd control, noise levels, particularly from evening trading, fire safety and safe evacuation and will have regard to immediate and surrounding neighbours.

- **Waste Management**

- The proposed tenant is committed to avoiding single use plastic on site and to minimising waste and maximising recycling. The Operational Management Plan will address a number of issues including waste management and the tenant will be obliged to keep the site clean and tidy so that vermin are deterred.

- **Accessibility**

- The site is readily accessible by both steps and ramps over hard surfaced walkways and wheelchair accessible. Approval of the tenant's signage plans will help to ensure that these meet the needs of the visually impaired. Given its multi-ethnic community, a number of different languages are spoken within Lambeth, with Portuguese particularly favoured. It is therefore likely that the traders themselves would be able to interpret or the site manage direct visitors to a specific language speaker, if required.

Q2b. How will they be impacted by the change?

Notes: Would you assess the impact as positive, adverse, neutral? Do you have any uncertainty about the impact of your proposal? Is there a likelihood that some people will more impacted than others? Can you describe the ways in which they will be affected? How might this change affect our 'general duty' [Read more](#)

The premises are currently empty, in poor repair and effectively 'dead' space incurring void costs. Subject to obtaining the necessary planning and licensing consents, the tenant will carry out works to bring the undercrofts into better repair and enliven the space, which is anticipated to have a positive impact in creating economic and employment opportunities for Lambeth residents and businesses, particularly start-ups. This should have a ripple effect on Lambeth's overall prosperity and the wider South Bank economy. Although some environmental impacts are likely, with the proper controls put in place (including statutory compliance), these will be managed to minimise any potential negative impact or nuisance for surrounding occupiers, residential or commercial. Both groups will have the opportunity to engage in dialogue about the proposal.

Q3a. How do you plan to promote and deliver any positive impacts of the proposal?

Notes: How might the principles of fairness, equality of opportunity and positive relationships be further promoted as a consequence of this proposal? How do you propose to measure your positive outcomes and the benefits outlined to find out if these have been achieved? [Read more](#)

The tenant will:

- Liaise with adjoining owners over any private property rights
- Prepare both an Operational Management Plan and Joint Community Engagement Plan as part of the lease arrangements and to satisfy the Council in this regard ahead of lease completion, so businesses and residents will be made aware.
- Submit planning and licensing applications where there will be the opportunity for comment via the formal planning process.
- Advertise job/trader/supplier opportunities through the Council's Communications Channels and in appropriate trade/local press so that suitable local people can fill
- Explore the possibility of a soft pre-launch with local businesses and residents
- Consider an interview on local radio
- Consider securing volunteer hours amongst traders once up and running
- Consider career talk to school children and offer opportunity for work experience, where possible and safe to do so
- Host occasional VCS events

Lambeth to:

- Support and endorse tenant at South Bank Management Group
- Liaise with Comms team over press articles
- Promote in newsletters to relevant groups
- Include trader details on its supplier list
- Provide management support in early days

Q3b. How do you plan to address and mitigate any negative impacts of the proposal?

How any negative impacts are addressed will depend upon their nature. If operational, this could be by an agreed change in arrangements or mandatory, if in breach of statute or planning or licensing consent. Solutions will need to be bespoke and could involve a range of options with final recourse being to lease forfeiture, if the negative impact is sufficiently serious to warrant this.

Notes: What impact has this evidence had on what you are proposing? What can you do differently that might lessen the impact on people within the timeframes i.e. development-implementation? Who can help you to develop these solutions? [Read more](#)

Q4. How will you review/evaluate your proposal, mitigating actions and/or benefits? Who will be responsible for this?

A requirement to hold quarterly meetings with the tenant to review operational issues, including economic, employment and equality issues, will be included in the tenant's lease and overseen by the Head of Valuation and Strategic Assets and supported by the Council's Regeneration and Economic Inclusion teams. Mitigation will depend upon the specific issue in question. The tenant will also be required to use local suppliers and traders wherever possible and payment of the London Living Wage. Feedback surveys can be undertaken with customers and representative groups once the contract has had time to bed down to ensure lessons are learned and any negative impacts mitigated.

Notes: Who will you be accountable for the above actions/outcome? How will those responsible know these actions have worked?? What indicators will you use? Are there any other forms of evidence you can use to support this assessment? [Read more](#)

Section to be completed by Sponsor/Director/Head of Service

Outcome of equality impact assessment *[Select as appropriate – see guidance notes]*

- No adverse impact, no change required
- Low adverse impact, minor adjustment required
- Significant adverse impact, further action required
- Unlawful in/direct discrimination, stop and rethink

Comments from Sponsor/Director/Head of Service

The letting of the Undercroft will bring vitality and employment opportunities on the route between Waterloo Station and the Southbank. The proposed tenant's ESG policy focusses on opportunities for young, unemployed persons and business start-ups.

Yvonne Hardy, Head of Service 04/02/22