

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Meanwhile Use Strategy and Action Plan
DEPARTMENT:	Regeneration & Environment
TEAM:	Regeneration
LEAD OFFICER:	Meghan Grant
DATE:	20 th November 2020

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary its objectives and the intended results.

Officers have drawn up a draft Meanwhile Use Strategy and Action Plan (MUS).

Meanwhile Uses are defined as an occupation of vacant or underutilised premises, sites or spaces, during a period until a landlord secures a new lease, before redevelopment, or in a long term vacant space.

The MUS is to be presented to Members and explains the policy context for meanwhile uses, reviews meanwhile uses in practice, and sets out the following programme of actions to increase meanwhile uses in vacant properties and realise their full potential across the borough:

Action 1: Establish Meanwhile Provider guidance and a preferred provider list

Action 2: Raise awareness and promote meanwhile uses to owners of vacant land and property, landlords, developers, start-ups, micro and SME businesses, business associations, ward members, town teams and community groups across the borough

Action 3: Consider a discretionary business rates relief for meanwhile uses

Action 4: Coordinate Town Centre Manager (TCM) networks and intelligence, together with National Non Domestic Rates (NNDR) data, to target meanwhile uses in vacant properties in priority town centres. The priority town centres were defined in the Town Centres: Action and Investment Planning 2017 report the rationale for selection was based on their ability to meet the borough priorities.

Action 5: Implement draft Local Plan policy for robust meanwhile use feasibility studies for phased major developments. Proactively engage with owners of vacant development sites to facilitate/realise meanwhile uses to test out commercial uses.

Action 6: Mitigate the risks of meanwhile use through effective pre and post project planning.

Action 7: Inform and direct meanwhile use projects into vacant Council assets and developments.

Action 8: Create/facilitate meanwhile projects that focus on creative, enterprise and workspace uses to fill vacant properties in priority town centres and on the high street.

Action 9: Work with Council licencing to activate temporary pop ups and spaces in town centres and high streets (in private and Council owned assets).

Action 10: Explore options for strategic area based partnerships where providers are selected to take on multiple units on a sub-borough or borough wide basis.

2. Who may be affected by this policy or proposal?

The Meanwhile Use Strategy would affect various groups of people in the borough, including local landlords, developers, start-ups, micro and SME businesses, business associations, ward members, town teams and community groups. A lot of meanwhile spaces provide affordable services to end users e.g. affordable workspace, retail space and gardening space. Access to low cost spaces could benefit disadvantaged groups, and in particular economically disadvantaged groups. Disabled people might not be able to equally benefit from the opening of vacant buildings due to accessibility issues. Whilst barriers to some vacant spaces may be overcome, there may be other spaces where, for example, physical building constraints cannot reasonably be overcome, thereby reactivating vacant spaces that would be inaccessible for some people with disabilities. Where the MUS and Action Plan are to be implemented, further equalities analysis is advised, including at a site specific level.

Below are further details on how people would be affected by those actions under the strategy most likely to affect different groups.

Action 1: Establish Meanwhile Provider guidance and a preferred provider list

A new preferred Meanwhile Provider list would detail a recognised framework of providers, set quality standards, build landowner/landlord confidence in meanwhile uses, seek to maximise local socioeconomic outputs, and promote responsible and beneficial meanwhile uses to fill vacant spaces across the borough. The application process would seek to ensure Meanwhile Providers consider the impacts their occupancy of spaces would have upon different protected groups in the borough.

Action 2: Raise awareness and promote meanwhile uses to owners of vacant land and property, landlords, developers, start-ups, micro and SME businesses, business associations, ward members, town teams and community groups across the borough.

All promotion materials should be provided in an accessible way for example, being published online and in plain English so they are readily available to the public.

Action 6: Mitigate the risks of meanwhile use through effective pre and post project planning

Meanwhile use projects by definition are interim and time limited. Meanwhile spaces provide affordable services to end users e.g. affordable workspace, retail space and gardening space. Access to low cost spaces can benefit disadvantaged groups, and in particular economically disadvantaged groups or those who struggle to access community spaces i.e. emerging communities. Women could also be positively impacted, as community spaces are often more accessible, flexible places accommodating to working pregnant women and mothers, who may not be able to commit to a long term lease (particularly self-employed women).

There must be proper planning for the impacts that meanwhile projects will have upon places, and transparent engagement with people likely to use meanwhile space in order to secure community buy in, in advance of their set up and delivery, including identifying and mitigating any potential risks that the temporary nature of meanwhile projects could negatively impact economically disadvantaged groups and pregnant women and mothers who might be expected to use and benefit from meanwhile spaces.

Where meanwhile use is implemented in high street units, occupiers interested in testing out business proposals should be sought, ideally with commitment from the start to staggered rent increases for successful businesses to normalise to permanent arrangements and commercial rents. Meanwhile uses should be monitored to gauge supply and demand for different types of space and sectors in the borough, and this intelligence fed into planning policy and guidance to shape permanent work and/or community space requirements and allocations. Commercial spaces should be marketed to meanwhile use tenants to encourage permanent relocation. Meanwhile use tenants should be encouraged to take up business support available from Brent Council or Meanwhile Providers through outreach, advertisement and events.

Action 8: Create/facilitate meanwhile projects that focus on creative, enterprise and workspace uses to fill vacant properties in priority town centres and on the high street.

Meanwhile Providers will be integral in this process and in order to be on the provider list they should be required to consider the impacts their projects have upon protected groups.

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Yes, there is relevance to the council's public sector equality duty, and due regard to such is paid in drawing up this equality analysis.

The aim of the proposal is to increase meanwhile use of vacant properties across the borough, including in town centre and high streets, and to provide affordable workspace, creative and community spaces. The provision of more affordable spaces is expected to advance equality of opportunity, by giving those with less financial security the opportunity to access spaces in the borough. To implement meanwhile uses, partnerships are required between landlords, the Council, Meanwhile Providers, tenants and end users. End users and tenants could potentially be from groups with protected characteristics (see above at Q2). These partnerships also have the potential to facilitate collaboration between different groups, and successful meanwhile projects are likely to foster good relations between those who share a protected characteristic and those who do not.

4. Please indicate with an “X” the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age		X	
Sex		X	
Race		X	
Disability	X		X
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity	X		X
Marriage		X	

5. Please complete **each row** of the checklist with an “X”.

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council’s public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?	X	
Would the policy or proposal change or remove services used by vulnerable groups of people?		X
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	
If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

The MUS has built on research and policy development led by the regeneration team, and explains the policy and wider socioeconomic context for meanwhile uses. In September 2020, there were 1,124 vacant commercial units in the borough, and town centre vacancies increased from 290 units to 302 units over the past 6 months¹ demonstrating significant opportunity for meanwhile uses. The MUS reviews meanwhile uses in practice, and sets out an action plan to increase meanwhile uses and realise their full potential across the borough.

In drawing up the MUS and Action Plan, we have consulted with the Lead Member for Regeneration, Property and Planning, and cross departmentally with officers in economic development, property, legal and finance. Meanwhile Providers and businesses who are based in the borough and are on high streets who may be affected have also been consulted through an external survey. Consideration has been given to the potential impacts the coronavirus may have on vacancies, and therefore meanwhile uses in the borough.

Focus for this equality analysis is upon the MUS action plan, as it is the actual implementation of the MUS which would potentially impact people with protected characteristics. Equalities Analysis is relatively high level as the policy responses and actions have not yet been implemented, and further EAs may be required at later stages of the project. If the MUS is implemented, then further monitoring, (see below at Q7), would have to be undertaken to assess particular action impacts and revisions made were desired outcomes not achieved.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

AGE	
Details of impacts identified	<ul style="list-style-type: none"> • No obvious impact upon groups with the protected characteristics of Age is identified in this equality analysis. Where the Meanwhile Use Strategy and Action Plan to be implemented, further equalities analysis is advised.
DISABILITY	

¹ NNDR Data (March - September 2020)

Details of impacts identified	<ul style="list-style-type: none"> Disabled people might not be able to benefit from the opening of vacant buildings due to accessibility issues, so could be excluded access. Whilst barriers to some vacant spaces may be overcome, there may be other spaces where, for example, physical building constraints cannot reasonably be overcome, thereby reactivating vacant spaces that are inaccessible for some people with disabilities. Where the MUS and Action Plan are to be implemented, further equalities analysis is advised, including at a site specific level.
RACE	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Race is identified in this equality analysis. Where the Meanwhile Use Strategy and Action Plan to be implemented, further equalities analysis is advised.
SEX	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Sex is identified in this equality analysis. Where the Meanwhile Use Strategy and Action Plan to be implemented, further equalities analysis is advised.
SEXUAL ORIENTATION	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Sexual Orientation is identified in this equality analysis. Where the Meanwhile Use Strategy and Action Plan to be implemented, further equalities analysis is advised.
PREGANCY AND MATERNITY	
Details of impacts identified	<ul style="list-style-type: none"> The MUS and Action Plan seeks to encourage the provision of affordable, accessible, flexible spaces in the borough that would accommodate pregnant women and mothers in Brent, particularly self-employed mothers and pregnant women. However there is a potential risk that the temporary nature of these spaces could have a negative impact, as these groups could become overly reliant on services/uses which are then taken away.
RELIGION OR BELIEF	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Religion or Belief is identified in this equality analysis. Where the Meanwhile Use Strategy and Action Plan to be implemented, further equalities analysis is advised.

GENDER REASSIGNMENT	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Gender Reassignment is identified in this equality analysis. Where the Meanwhile Use Strategy and Action Plan to be implemented, further equalities analysis is advised.
MARRIAGE & CIVIL PARTNERSHIP	
Details of impacts identified	<ul style="list-style-type: none"> No obvious impact upon groups with the protected characteristics of Marriage & Civil Partnership is identified in this equality analysis. Where the Meanwhile Use Strategy and Action Plan to be implemented, further equalities analysis is advised.

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

No.

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

We carried out a consultation with Meanwhile Providers and businesses based in the borough and are on high streets who may be affected. Partnership working will be essential in the implementation of the MUS and therefore engagement should be continuous. Outlined below are the actions which particularly require ongoing engagement and explanation of how equality will be considered.

Action 1: Establish Meanwhile Provider guidance and a preferred provider list

Promote the preferred Meanwhile Provider list together with guidance, benefits and supporting collateral (e.g. meanwhile leases) to landowners/landlords to increase **responsible** and **beneficial** meanwhile uses in vacant property across the borough. The application process should seek to ensure that Meanwhile Providers take into account any impacts their occupancy of spaces will have upon protected groups in the borough, and how they can mitigate negative impacts and maximise the benefits.

Action 2: Raise awareness and promote meanwhile uses to owners of vacant land and property, landlords, developers, start-ups, micro and SME businesses, business associations, ward members, town teams and community groups across the borough.

All promotion materials should be provided in an accessible way for example, being published online and in plain English so they are readily available to the public.

Action 6: Mitigate the risks of meanwhile use through effective pre and post project planning

Meanwhile use projects by definition are interim and time limited. A lot of meanwhile spaces provide affordable services to end users e.g. affordable workspace, retail space and gardening space. Access to low cost spaces could benefit disadvantaged groups, and in particular economically disadvantaged groups or groups who have struggled to access community spaces i.e. emerging communities. (see above Section A, Q2.)

Action 8: Create/facilitate meanwhile projects that focus on creative, enterprise and workspace uses to fill vacant properties in priority town centres and on the high street.

Meanwhile Providers will be integral in this process and in order to be on the provider list they will be required to consider the impacts their projects have upon protected groups.

5. Please detail any areas identified as requiring further data or detailed analysis.

N/A

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

Meanwhile use projects are by definition interim and time limited. Meanwhile spaces provide affordable services to end users e.g. affordable workspace, retail space and gardening space. Access to low cost spaces could benefit disadvantaged groups, and in particular economically disadvantaged groups or groups who have struggled to access community spaces i.e. emerging communities. Effective pre and post project planning is essential to identify and mitigate any risks of the time limited nature of meanwhile spaces. In addition, it should be noted that the benefits of reactivating vacant spaces to provide affordable facilities are considered to outweigh the risk of groups becoming overly reliant upon them, and of leaving them empty and unused.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

Actions 1 and 4 in the meanwhile strategy will provide data on the progress of meanwhile use in the borough.

- *Action 1: Establish Meanwhile Provider guidance and a preferred provider list*, will give us information on how many meanwhile providers are interested in doing meanwhile projects in Brent and the Council will have a relationship with the Providers on this list (keeping in touch and contacting them about upcoming projects etc.).
- *Action 4: Coordinate Town Centre Manager (TCM) networks and intelligence, together with National Non Domestic Rates (NNDR) data*, to target meanwhile uses in vacant properties in priority town centres. Will give us data on changes to vacancy rates in the borough and allow us to monitor the impact of the meanwhile strategy.

In addition we plan to establish robust monitoring of membership schemes to ensure projects are and continue reflect Brent's population and local community, and explore avenues for further involvement for any under-represented groups. This could involve having

a steering group of stakeholders with regular catch ups as a way of formalising and monitoring live projects.

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

Implementation of the MUS and Action Plan is assessed as likely to have a broadly neutral impact on equality in the borough. The MUS aims to facilitate low cost space, support local businesses and communities, and provide opportunities for placemaking. The MUS may have positive impacts by improving disabled access when reactivating older buildings, but may potentially reactivate buildings with poor accessibility that would not be accessible to some disabled groups. Women, including pregnant women and mothers, could be expected to benefit from meanwhile spaces, however the temporal nature of meanwhile spaces should be clearly communicated from the start and throughout the lifetime of their use.

The MUS could be expected to improve the quality of data through more active monitoring of vacancies in the borough, including town centre manager intelligence and business rates data, informing supporting work to improve the local area. Monitoring could involve attaching equalities commitments and monitoring requirements to the proposed preferred Meanwhile Provider list, and any meanwhile funding or grants.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Review progress vs. MUS action plan and projects	Monitor and review equalities impacts	MG	December 2021

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Meghan Grant, Regeneration Researcher
REVIEWING OFFICER:	Bryony Gibbs, Equality Officer
HEAD OF SERVICE:	Jonathan Kay, Head of Regeneration