



Equality Analysis

Premises Use Policy 2023

For Decision Making Items

Summer 2023



Question 1 - What is the nature of and are the key components of the proposal being presented?

In line with the medium-term financial strategy, the Use of Premises Policy is being reviewed to;

- a) Support relationships between the County Council and external bodies to the benefit of local service delivery and community use.
- b) To ensure that consistency is applied in allowing the use of the County Council's premises by setting out the criteria to be considered when deciding whether to allow accommodation to be used by other County Council services or external organisations
- c) To ensure that Council assets work well for the community by considering income and contributions towards the upkeep of premises that support a sustainable portfolio.

To ensure that where there is third party use of County Council premises that the charges take account of the financial cost of providing the accommodation.

Question 2 - Scope of the Proposal

Is the proposal likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g., are a set number of branches/sites to be affected?

This policy will apply to most premises owned or controlled by the County Council across Lancashire and it is not confined to any specific area. The only exceptions are Conferencing e.g., at The Exchange at Burnley Campus and County Hall complex, Museums including Lancashire Museum Conservation Centre, Outdoor Education Centres and School premises where they have devolved financial management.

Question 3 – Protected Characteristics Potentially Affected

Could the proposal have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

And what information is available about these groups in the County's population or as service users/customers?



As noted in 2012, when it was introduced, and at the last update in 2018, the purpose of the policy is to ensure that all use of premises is dealt with consistently across the County Council for all users irrespective of their protected characteristics and in accordance with the criteria and the categories set out in the policy.

There are a variety of groups that presently use LCC premises. The records held by services can provide the name of the groups using the space but not any protected characteristics of individual users or groups. In line with the Equality Act, all requests to use/hire County Council premises will be treated fairly and considered objectively, and discrimination will not take place because of any protected characteristics of a group or individual. Information on the requirements not to discriminate unlawfully is provided to Premises Managers.

The revised policy will continue to ensure that rates are consistent and will consider the financial impact of the use of the premises. .

Question 4 – Engagement/Consultation

How have people/groups been involved in or engaged with in developing this proposal?

A consultation with the Libraries, Museums, Culture and Registrars Service has been undertaken and a cross section of four districts has been used to analyse the use of hired space within libraries. The data confirms which groups have hired the space over the last 12 months in order to understand the user, the current frequency, charges and use type. There has also been consultation around the booking forms provided to users in order to improve them where possible and this has been very well received.

In addition, there has been consultation with a number of services that facilitate the use of the premises by third parties including:

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- Facilities Management Service
- Digital Services
- Estates Service
- Insurance Team
- Children, Family and Wellbeing Service
- VAT
- Democratic Services
- Legal
- Finance

When considering the rates, research has been undertaken to identify the average room hire charges for small, medium and large facilities. A cross section of ten authorities has been identified and this confirmed that the amended charges are fair.

Due to resources and time available, there has not been any direct consultation with users of the LCC premises.



Question 5 – Analysing Impact

Could this proposal potentially disadvantage particular groups sharing protected characteristics and if so which groups and in what way? This pays particular attention to the general aims of the Public Sector Equality Duty:

- To eliminate unlawful discrimination, harassment or victimisation because of protected characteristics;
- To advance equality of opportunity for those who share protected characteristics;
- To encourage people who share a relevant protected characteristic to participate in public life;
- To contribute to fostering good relations between those who share a relevant protected characteristic and those who do not/community cohesion;

The policy ensures consistency is applied in charging user groups and ensures the financial cost of accommodating any third party use does not fall upon the running costs budget of the County Council.

There is anecdotal evidence that some groups are presently not charged for the use of LCC premises. In accordance with the general aims of the County Council to support relationships with bodies which benefit local service delivery, including Third Sector organisations, the County Council will offer a subsidy equivalent to the rental element to all groups which fall into this category.

Whilst there is insufficient data on the existing users of LCC premises to indicate whether people from the protected characteristics will be impacted upon, the categories used to determine the basis for charging do include groups targeted at people with protected characteristics e.g. young peoples groups, social groups for disabled adults and older peoples groups.

The Policy includes specific arrangements to assess the accessibility of premises to assist compliance with the Equality Act 2010's "reasonable adjustment" responsibilities which may assist in advancing equality for some user groups.

Specific arrangements have been made within the Policy to consider requests from users which may be controversial in nature, these arrangements may contribute to meeting the fostering good relations/community cohesion general aim of the Public Sector Equality Duty. Specific arrangements have also been included within the Policy to meet the requirements of the Prevent Duty.

Requests from all groups will be considered fairly and objectively against clear criteria which will ensure that any possible risk of unlawful discrimination is eliminated.

Question 6 – Combined/Cumulative Effect

Could the effects of this proposal combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

It is recognised that there are some potential combined effects which may be relevant including the economic downturn on levels of disposable income, reduction



in funding grants for third sector organisations, benefit cuts/changes and the user's ability to pay charges for the use of premises.

The County Council will continue to offer a subsidy equivalent to the rental element to all groups which fall within Category 2 as detailed in the policy. The policy requires that all users are insured appropriately, and it is recognised that not all users of LCC premises are able to arrange insurance cover. The County Council has arranged for a top-up to the Hirer's Liability Insurance which means that user(s) that do not have their own insurance policy are still able to make use of LCC premises.

Question 7 – Identifying Initial Results of Your Analysis

As a result of the analysis has the original proposal been changed/amended, if so please describe.

As a result of the analysis, it is proposed to continue with the original proposal for it to be in line with the medium-term financial strategy. The policy ensures a consistency of approach in charging for the use of LCC premises and in turn the fairness for all groups.

In addition, there is the opportunity within the policy for those looking to secure consistent regular use to agree individual terms.

Question 8 - Mitigation

Will any steps be taken to mitigate/reduce any potential adverse effects of the proposal?

Whilst there is insufficient data on the existing users of LCC premises to indicate whether people from the protected characteristics will be impacted upon, the 3 categories used to determine the basis for charging do include groups targeted at people with protected characteristics e.g. young peoples groups. It is intended to monitor the users of LCC premises to determine whether users are from/represent all the groups with protected characteristics as defined by the Equality Act 2010.

Whilst bookings will be on an online / digital first basis, support will be available for those who find this difficult, for example a hard copy booking form.

The policy requires that all users are insured appropriately and it is recognised that not all users of LCC premises are able to arrange insurance cover. The County Council has arranged for a top-up to the Hirer's Liability Insurance which means that user(s) that do not have their own insurance policy are still able to make use of LCC premises.

Question 9 – Balancing the Proposal/Countervailing Factors

This weighs up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of the analysis.



Property assets are held for the delivery of Lancashire County Council's service priorities and in order to ensure that Council assets work well for the community, consideration must be given to income and contributions towards the upkeep of premises that support a sustainable portfolio..

In accordance with the general aims of the County Council to support relationships with bodies which benefit local service delivery, including Third Sector organisations, the County Council will offer a subsidy equivalent to the rental element to all groups which fall within Category 2 as detailed in the policy. It is expected that the majority of users will fall within Category 2.

Question 10 – Final Proposal

In summary, what is the final proposal and which groups may be affected and how?

The policy will be reviewed to give consideration to income and contributions towards the upkeep of premises that support a sustainable portfolio. The policy details the process and criteria for the use of LCC premises and confirms the charges for the use.

The reviewed policy will ensure that all groups are subject to the same consistent approach in determining use and that standard rates for sessional use/hire are applied.

Question 11 – Review and Monitoring Arrangements

What arrangements will be put in place to review and monitor the effects of this proposal?

The proposal and charges will be reviewed annually and during the following 12 months, contact with the services involved in the consultation process will be maintained.

The policy is currently managed through a paper-based system and records are held locally in each premise so the data on the level and type of usage has to be obtained from services. The review of the policy includes the consideration of an electronic method of managing premises use and initial discussions have taken place with Digital Services. Whilst paper forms would also be available, digitally capturing the data would allow for accurate records of use and may allow the ability to determine whether users are from/represent all the groups with protected characteristics as defined by the Equality Act 2010. This is being explored with Digital Services and would enable the ability for users to access and submit booking forms online. Further discussions are required, and it will take time to develop and deliver a new system.

It is intended to monitor the hire of LCC premises to determine whether users are from the groups with protected characteristics as defined by the Equality Act 2010.



It is hoped that the data gathered from a digital service will provide an opportunity to facilitate this in order to assist the Use of Premises Policy going forward.

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Position/Role Property Review Principal

Equality Analysis Endorsed by Line Manager and/or Service Head Emma Pearse

Decision Signed Off By

Cabinet Member or Director

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