



**Area Committee 6 Meeting
Date 28th July 2020**

Report of: Keith Houghton

Title: Community Resources Manager, Neighbourhoods & Communities

Telephone Number: 0117 922 2135

RECOMMENDATIONS. The Committee is asked:

1. That the Area Committee elects or confirms the Chairperson for the Committee meeting (Item 2)
2. Note the proposed updating of progress on previously-approved projects in the light of Covid-19 impacts. (Item 3)
3. Note the decision to pause 2020 CIL and S106 decisions with the exception of S106 monies specified for tree planting and replacement (Item 4)
4. Note the CIL and S106 monies available at 30th June 2020 and the 2 S106 contributions which are at risk as outside their 'committed by' date (Item 5)
5. To consider the funding for the S106 Tree Proposal submitted, including any conditions which they may wish to attach (Item 6)
6. To note the legal information concerning the Public Sector Equality duty in reaching all its decisions (Item 7)

1. Background:

- a. 6 Area Committees were approved at the Full Council meeting on 20th March 2018 to hold delegated decision-making powers over non-earmarked Section 106 and local Community Infrastructure Levy (CIL) funds.
- b. Area Committee 6 consists of the councillors representing the wards of Filwood, Bishopsworth, Hartcliffe & Withywood, Hengrove & Whitchurch Park and Stockwood.
- c. Each Area Committee will meet formally once a year (with the option of a second, additional meeting if required) to make decisions on the awarding of local CIL and S106. 15% of CIL generated within each Area Committee area is available for spend. Those parts of an Area Committee which have a formally adopted Neighbourhood Development Plan receive 25% of the CIL generated within the defined border of their Plan to support their identified infrastructure priorities.
- d. Information about Area Committees, CIL and S106 processes can be found on the BCC website at:
<https://www.bristol.gov.uk/people-communities/local-decision-making>

2. Terms of Reference and Election of Chairperson

- a. The Area Committee Terms of Reference were approved at Full Council on 20th March 2018 and adopted at the 2018 Area Committee on 3rd October 2018

Recommendations

That the Area Committee formally elects its Chairperson for the Committee

3. Progress update on CIL & S106-funded projects approved at 2018 & 2019 Area Committee Meetings

Covid-19 has impacted on the delivery of previously agreed projects. The Community Resources team is currently gathering updates on progress and any likely delays. An update on BCC-delivered and Voluntary/Community group-delivered schemes will be made available to councillors at end August 2020

4. Allocation of CIL and Section 106 Funds

a. A timetable and process for developing Outline and Full Proposals for funding from CIL and S106 resources for 2020 was agreed and a start made from January 2020. The arrival of the Covid-19 pandemic lockdown in March required both the reallocation staffing resources in the council and disruption of the network of community events to identify priorities. A decision was made by the Deputy Mayor (Communities, Equalities & Public Health) to pause the process and not to accept any CIL or S106 proposals in 2020 **with the exception of tree replacement Section 106 decisions**, which could be developed and considered by Area Committees and planted in the 2020/21 winter season.

These S106 Tree proposals are presented for decision by the Area Committee in this paper.

5. CIL and Section 106 Monies available to Area Committee 6 at 30st June 2020

a. CIL available:

At the end of June 2020 there was an overall sum of **£160,440.11** available to Area Committee 6, which breaks down for general AC6 expenditure and for the Hengrove Neighbourhood Plan Area as follows:

- For General AC6 expenditure: **£91,323.28**
- For Hengrove ND Plan expenditure: **£69,116.83**

See Appendix 1

b. Section 106 available:

- i. At the end of June 2020 there was a total of **£ £100,621.50** uncommitted Section 106 agreement monies available for AC6, of which **£46,659.88** is designated specifically for tree planting and tree replacement
- ii. All S106 agreements are legally bound to be spent according to the Purpose of the Contribution so can only be approved for projects which met these conditions.
- iii. The Committee is asked to note that there are no time-limited S106 at risk if not allocated:

See Appendix 2

6. 2020 Stage 2 Full Project Proposals: for decision

Proposal 1: Tree Bristol Tree Planting Proposal

Section 2a. Name of your group or organisation: Tree Bristol - Bristol City Council

Section 2b. Your Organisation:

Briefly describe your organisation's core purpose and activities (less than 100 words)

Bristol City Council and their partners aim to plant as many trees as possible in the Local Authority Area. Bristol's One City Action Plan has the Environmental Objective of doubling the tree canopy in the city by 2046 and becoming carbon neutral by 2030.

Section 2c. Your Project:

i. Please describe the project you want to deliver (200 words maximum) (attach any plans, drawings etc as an appendix):

Tree Bristol utilises private sponsorship, Corporate sponsorship and development funding (s106 and CIL), to fund tree planting. Tree planting contributes to both of the One City targets as well as many other attendant benefits such as habitat creation for wildlife, pollution absorption

and reducing the urban heat island effect.

60 Tree Planting Locations across (23) Stockwood and (33) Hengrove & Whitchurch Wards in AC6. It is also requested that 4 locations get planted in AC5 – Brislington West ward as this is within the contribution’s ambit and would benefit the residents of Stockwood and wider AC6 as these are the nearest available locations once all those in Stockwood, (and within ambit of H&W are planted).

ii. where will it be delivered?

Tree Planting Locations across (23) Stockwood and (33) Hengrove & Whitchurch Wards in AC6. It is also requested that 4 locations get planted in AC5 – Brislington West ward as this is within the contribution’s ambit

2d(ii): S106-funded projects

Insert the S106 reference code(s); amount; purpose and expiry date: (this will be used to check that your project meets the terms of the S106 Legal Agreement)

Permission / Site / S106 Code	Current Contribution Value	Date to be Spent / Committed by	Purpose of Contribution
15/04614 / Bowmead, 75 Hollway Road, Stockwood	£40,348.92	13 Nov 24	The provision of tree planting to mitigate the loss of trees on the Application Land
18/04344 / 740 Wells Road, Hengrove	£6,310.96	No Limit	The provision and maintenance of tree planting either on-street or in public open space within a one mile radius of 740 Wells Road

How does your project meet the purpose of the S106 fund(s) and how does it address local needs and priorities?:

All of these contributions are for tree planting specifically. All of the sites identified are within the ambits of the individual contributions. Codes, Sites, Tree Planting locations and Tree Species are set out below, including 4 X TPLS highlighted in yellow which are in Brislington West Ward and, therefore AC5, but would benefit residents in Stockwood being so close to the ward boundary:

106 code	Ward	Site	TPL	Species
15/04614	Stockwood	Ladman Road	100001.5	Quercus robur

15/04614	Stockwood	Lanesborough Rise	100001.5	Prunus serrula Tibetica
15/04614	Stockwood	Whittock Road Open Space	100036.03	Pinus sylvestris
15/04614	Stockwood	Sturminster Close	100097.5	Betula nigra
15/04614	Stockwood	Stockwood Open Space	100074.5	Davidia involucrata
15/04614	Stockwood	Stockwood Road	100065.5	Prunus Pandora
15/04614	Stockwood	Stockwood Lane	100058.8	Prunus Pandora
15/04614	Stockwood	Derricke Road	100002	Quercus robur
15/04614	Stockwood	Derricke Road	100002.5	Cercis siliquastrum
15/04614	Stockwood	Cantell Grove	100005	Sorbus bristoliensis
15/04614	Stockwood	Cantell Grove	100001.5	Betula nigra
15/04614	Stockwood	Cantell Grove	100004	Betula nigra
15/04614	Stockwood	Cantell Grove	100002.5	Davidia involucrata
15/04614	Stockwood	Mowbray Road Open Space	100002.5	Ulmus glabra Campdownii
15/04614	Whtchurch Park Hengrove &	Wharnecliffe Gardens South	10079.5	Sorbus hupehensis
15/04614	Whtchurch Park Hengrove & Whtchurch	Wharnecliffe Gardens South	100181.5	Styrax japonica Carpinus betulus Frans
15/04614	Park Hengrove & Whtchurch	Wharnecliffe Gardens South	100040.1	Fontaine
15/04614	Park Hengrove & Whtchurch	Wharnecliffe Gardens South	100040.6	Prunus Sunset Boulevard
15/04614	Park	Holford Court	100040.26	Parrotia persica
15/04614	Stockwood	Craydon Road Triangle	100021.01	Prunus avium
15/04614	Stockwood	Craydon Road Triangle	100031.01	Prunus avium
15/04614	Stockwood	Craydon Road Triangle	100029.01	Sorbus aucuparia Pyrus calleryana
15/04614	Stockwood Hengrove & Whtchurch	Stockwood Shopping Precinct	100082.51	Chanticleer
15/04614	Park Hengrove & Whtchurch	Wharnecliffe Gardens South	10007.35	Acer davidii
15/04614	Park Hengrove & Whtchurch	Wharnecliffe gardens	100019.50	Prunus Sunset Boulevard
15/04614	Park Hengrove & Whtchurch	Parbrook Court	100009.50	Prunus Sunset Boulevard
15/04614	Park	Wharnecliffe Gardens	100005.50	Tilia cordata Greenspire

15/04614	Hengrove & Whtchurch Park	Heathfield Crescent	100001.50	Quercus suber
15/04614	Hengrove & Whtchurch Park	Whitchurch Lane	100003.50	Prunus Tai-Haku
15/04614	Hengrove & Whtchurch Park	Whitchurch Lane	100013.50	TBC
15/04614	Hengrove & Whtchurch Park	Whitchurch Lane	100014.50	Malus tschonoskii
15/04614	Hengrove & Whtchurch Park	Whitchurch Lane	100018.50	Malus tschonoskii
15/04614	Hengrove & Whtchurch Park	Whitchurch Lane	100026.70	Liriodendron tulipifera
15/04614	Hengrove & Whtchurch Park	Whitchurch Lane	100034.02	Betula papyrifera
15/04614	Hengrove & Whtchurch Park	Whitchurch Lane	100039.50	Crataegus x lavalleyi
15/04614	Hengrove & Whtchurch Park	Chessington Avenue Amenity Area	100038.50	Prunus Sunset Boulevard
15/04614	Hengrove & Whtchurch Park	Otterford Close	100046.50	Laburnocytisus adamii
15/04614	Hengrove & Whtchurch Park	Fortfield Road	100010.00	Liriodendron tulipifera
15/04614	Hengrove & Whtchurch Park	Oatlands Avenue	100013.50	Amelanchier
15/04614	Hengrove & Whtchurch Park	Oatlands Avenue	100011.50	Amelanchier
15/04614	Hengrove & Whtchurch Park	Oatlands Avenue	100009.50	Amelanchier
15/04614	Hengrove & Whtchurch Park	Oatlands Avenue	100036.50	Liriodendron tulipifera
15/04614	Hengrove & Whtchurch Park	Oatlands Avenue	100024.50	Castanea sativa Laciniata
15/04614	Brislington West	Stockwood Road	100009.50	Juglans nigra
15/04614	Brislington West	West Town Lane	100008.60	Ginkgo biloba
15/04614	Brislington West	Turnberry Walk Flats	100012.50	Parrotia persica
15/04614	Brislington West	Turnberry Walk Flats	100013.50	Parrotia persica
15/04614	Stockwood	Ellesmere Road and River Bank Open Space	100044.50	Acer griseum

15/04614	Stockwood	Wells Road	100101.60	Malus trilobata
15/04614	Stockwood	Wells Road	100088.50	Malus trilobata
15/04614	Stockwood	Wells Road	100037.51	TBC
15/04614	Stockwood Hengrove &	Wells Road	100037.15	TBC
18/04344	Whitchurch Park Hengrove &	Briery Leaze Road Open Space	100050.09	Quercus robur Fastigiata
18/04344	Whitchurch Park Hengrove &	Briery Leaze Road Open Space	100148	Quercus robur Fastigiata
18/04344	Whitchurch Park Hengrove &	Briery Leaze Road Open Space	100052.2	Juglans regia
18/04344	Whitchurch Park Hengrove &	Briery Leaze Road Open Space	100052.6	Parrotia persica
18/04344	Whitchurch Park Hengrove &	Briery Leaze Road Open Space	100060.04	Pinus sylvestris Aurea
18/04344	Whitchurch Park Hengrove &	Briery Leaze Road Open Space	100060.06	Pinus sylvestris Aurea
18/04344	Whitchurch Park Hengrove &	Briery Leaze Road Open Space	100062.5	Pinus sylvestris
18/04344	Whitchurch Park	Briery Leaze Road Open Space	100065.5	Pinus radiata

Section 2e. Describing Success:

How can you demonstrate that your proposed project will address the demands and needs you've identified? How will you measure and demonstrate positive changes to the Area Committee and to local communities?

Propose **at least one** and **up to three** outcomes and associated measurable indicators (up to 3 per Outcome) to describe the improvements your project will make

Write no more than 25 words for each Outcome.

Please use SMART Indicators and concrete proposals to evidence achievement.

This will be followed up in Project Monitoring

Outcome	Description	Indicator or Measure	Proposed evidence
Outcome 1	Increase canopy cover	Percentage of canopy	Tree audits using i-Tree methodology & satellite imagery

	in AC area	cover	
Outcome 2	Contribute to cleaner air	NO2 and SO2 measurements	Annual measurements by Environment Agency
Outcome 3	Improved satisfaction in local environment	QoL indicators	Improved Environment QoL survey scores

Section 3. Equalities, Inclusion and Public Sector Equality Duty

Both devolved Section 106 and CIL monies are the responsibility of Bristol City Council. Their use is covered by Bristol City Council's **Equality and Inclusion Policy and Strategy 2018–2023** and the **2010 Equality Act Public Sector Equality Duty** (see <https://www.bristol.gov.uk/people-communities/equalities-policy>).

All project proposals completing this proposal **MUST** attach a completed **Public Sector Equality Duty and Equalities Impact Assessment** to demonstrate how your project supports relevant elements of these policies. Please tell us how your project has been designed to deliver positive impacts and mitigate any negative impacts on people with protected characteristics as set out in the 2010 Public Sector Equality Duty and identified Equalities communities within those protected characteristic categories.

Your Full Proposal will not be considered for funding without a completed Public Sector Equality Duty and Equalities Impact Assessment.

Section 3a. Public Sector Equality Duty and Equalities Impact Assessment	Tick to confirm
completed and attached	X

Section 3b. **Equalities-led organisations:**

Tell us if at least half your organisation's board (trustees or directors) are:

	Y/N
BME people	

LGBT people	
Disabled people	

Section 3c. Disabled Access to Capital Projects:

Please explain below how you will ensure that high quality access for Disabled people will be delivered by your project? Please note: your project will not be funded unless you can demonstrate how it will be fully accessible.

200 words maximum

All planted locations are assessed and those impacting on accessibility guidelines as laid out in the Equalities Act 2010. Those that don't meet the criteria, (eg. Street tree locations that are in adopted highways of less than 1.8m thus impeding access to wheelchairs, mobility scooters and pushchairs), are rejected and alternatives sought.

Section 3d. Involving the community

How have you already, and how will you, involve the wider community with your project, including Equalities communities and groups with Protected Characteristics under the 2010 Equality Act?

100 words maximum

All groups, residents and businesses in the immediate area of new planting sites are consulted with site maps and rationale for planting. Tree Bristol will encourage local people along to plant where safe to do so ie. In parks and green spaces. (planting in the highway is suitable for volunteer planting due to risk assessment highlighting health & safety risk.

Section 4. Project Delivery Details

Section 4a. Land/Resource ownership. Please demonstrate your Project has permission to be delivered from any third party owner of the land or resources it will impact on:

Land/Resource ownership			
Who owns the land or resources your project will impact on?	Bristol City Council		
Have you got their permission to deliver this project?	Yes	X	No
If "yes" please provide contact details	Name: Shaun Taylor (Highways) / Richard Fletcher (Parks) Tel: 0117 9222404 / 0117 9223896 Email: shaun.taylor@bristol.gov.uk / Richard.fletcher@bristol.gov.uk		
If "no" please state when you will know .			
	Written confirmation of permission – please attach		

Section 4b. Delivery Track record: what resources, skills, experience, knowledge, quality assurance processes and networks will your organisation use to successfully deliver the project? How will you deliver this project?

200 words maximum

Tree Bristol is responsible for planting all new and replacement trees through the city and has been for the last ten years. The project follows the Bristol Tree Planting Standard which is recognised nationally as being of best practice. All sites and species are thoroughly considered and consulted and all prospective locations are service checked and scanned for underground hazards. All trees are planted within the winter season November – March and guarded and caged with a two year follow-on maintenance programme to ensure establishment. Trees are guaranteed for two years and will be replaced free of charge in case of failure

Section 4c. Delivery timetable and key events/activities:

Please complete the table below to set out the key actions and events which you will deliver to complete your project and the anticipated time scales.

Month/Period/ Year:	August 2020	September 2020	October 2020	November 2020	December 2020	January 2021	February 2021	March 2021	April 2021 onwards
Key Milestones:	Final tree locations plotted	Service checks completed	Scans completed and	Planting	Planting	Planting	Planting	Planting	Maintenance programme begins

combined Capital & Revenue Totals (A + B)	£46,659.88	£46,659.88					£46,659.88
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4d.i. Public Sector Equality Duty

Protected Characteristics/ Equalities groups	1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.	1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)	1.3 Does it advance equality of opportunity? Say how (see guidance)	1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)	2.1 Does the proposal have any potentially adverse impacts?	2.2 How can these impacts be mitigated or justified? If so, how?
Sex Women & girls	Tree Bristol attempts to promote our Community work amongst all protected groups. We have promoted work on the project to Young mums groups in Hartcliffe and Withywood and Somali Mothers		Yes. We promote outdoor career opportunities to girls and women encouraging them to consider traditionally 'male careers' such as horticulture and tree surgery	Yes we have schools working alongside groups breaking down barriers and encouraging further work, eg allotment scheme at City Academy		

Protected Characteristics/ Equalities groups	1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.	1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)	1.3 Does it advance equality of opportunity? Say how (see guidance)	1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)	2.1 Does the proposal have any potentially adverse impacts?	2.2 How can these impacts be mitigated or justified? If so, how?
	group in Easton for community planting events					
Age Older and young people	Many of our lead volunteers are older and retired people. We are looking to reduce social isolation by promoting joint planting and maintenance events between younger school children and older people in supported accommodation. We have worked on planting events with North Bristol Dementia Group					

Protected Characteristics/ Equalities groups	1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.	1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)	1.3 Does it advance equality of opportunity? Say how (see guidance)	1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)	2.1 Does the proposal have any potentially adverse impacts?	2.2 How can these impacts be mitigated or justified? If so, how?
	with older people with dementia and Alzheimers working with us in Penpole Woods planting more trees.					
Disability Disabled people	All our planting schemes and events are designed with access requirements under the Equalities Act in mind.				Frustration for people with disabilities around limited ability to use tools.	We have addressed this by purchasing smaller and lighter equipment where possible.
Race Black & Minority Ethnic people	We promote volunteering opportunities to BAME groups and target promotion and consultation to				Public perception that certain communities are benefitting from greening communities over	We address this through education – regularly producing maps where we've

Protected Characteristics/ Equalities groups	1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.	1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)	1.3 Does it advance equality of opportunity? Say how (see guidance)	1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)	2.1 Does the proposal have any potentially adverse impacts?	2.2 How can these impacts be mitigated or justified? If so, how?
	BAME communities when running and consulting on new schemes				others.	planted throughout the city
Sexual Orientation and Gender Identity Lesbian, Gay, Bisexual and Transgender + people (LGBT+)						

Protected Characteristics/ Equalities groups	1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.	1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)	1.3 Does it advance equality of opportunity? Say how (see guidance)	1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)	2.1 Does the proposal have any potentially adverse impacts?	2.2 How can these impacts be mitigated or justified? If so, how?
Pregnancy and maternity						
Religion or belief	We promote our work to a wide range of religious groups and encourage faith groups to get involved with planting trees. These have included Roman Catholic Schools, Coptic Christian Church in St George, Hindu Temple in Chelsea Road, Jamal Mosque in Eastville.			Our work has introduced faith groups to their local communities where there had been no contact before. This fosters trust and cooperation which continues after we finish a project		

Protected Characteristics/ Equalities groups	1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.	1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)	1.3 Does it advance equality of opportunity? Say how (see guidance)	1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)	2.1 Does the proposal have any potentially adverse impacts?	2.2 How can these impacts be mitigated or justified? If so, how?
marriage and civil partnership						
Other relevant communities of interest Eg: people who are looked after by the council; those with responsibilities as a carer; people disadvantaged by economic or social background	We do target special schools such as Woodstock, Kingsweston, Elmfield School for the Deaf and New Fosseway Special School to get children with a range of mental health issues, physical disabilities, emotional and behavioural problems and learning difficulties. This					

Protected Characteristics/ Equalities groups	1.1 Does the proposal deliver any positive benefits for people with protected characteristics or equalities groups? Tell us how you've designed your project to address any relevant needs for these groups of people.	1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation? Say how (see guidance)	1.3 Does it advance equality of opportunity? Say how (see guidance)	1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city? Say how (see guidance)	2.1 Does the proposal have any potentially adverse impacts?	2.2 How can these impacts be mitigated or justified? If so, how?
	engagement takes a lot more planning and differentiation but the children, carers, teaching staff and volunteers get a huge amount from this work and our feedback is consistently excellent.					

Section 4e. How would you manage delivery of your project if the Area Committee offers you less funding than you are requesting?

% reduction	Management of project
10%	
30%	
50%	

Section 4f. How have you arrived at your project costs?

Have you:

	Describe your approach
Obtained a range of quotes?	Quote includes range of quotes from nursery providers for tree stock. Fixed rate for installation etc from current tree contractor under BCC procurement rules
How did you choose your final quote?	
How have you calculated your revenue/maintenance costings?	Standard tree maintenance calculations including fixed watering costs for first two years
Please provide evidence of the quotes you've obtained	

5.	Summarise below how much you are requesting					
	CIL					
	S106 (complete table below)					£46,659.88
	Permission / Site / S106 Code	Current Contribution Value	£ requested	£ remaining	Date to be Spent / Committed by	Purpose of Contribution
	15/04614 / Bowmead, 75 Hollway Road, Stockwood	£40,348.92	£39,790.92	£558.00	13 Nov 24	The provision of tree planting to mitigate the loss of trees on the Application Land
	18/04344 / 740 Wells Road, Hengrove	£6,310.96	£6,121.68	£189.28	No Limit	The provision and maintenance of tree planting either on-street or in public open space within a one mile radius of 740 Wells Road
		£46,659.88	£45,912.60	£747.28		

Recommendation:

- a. That the Area Committee considers the project proposal submitted and whether to approve full or partial funding to deliver this project or not, in particular whether to approve planting in adjacent Area Committee 5 area with available AC6 S106 monies**

7. Equalities/Public Sector Equality Duty: Legal Information

When councillors decide how CIL and Section 106 is spent they should have due regard to the Public Sector Equality Duty that applies to all public bodies. This duty is contained in the Equality Act 2010 and came in to force on 6 April 2011. It replaces previous equality duties under the Sex Discrimination, Race Relations and Disability Discrimination Acts.

The duty means that councillors are required to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act
- Promote equality of opportunity between different groups
- Foster good relations between people from different groups

The duty covers the following protected characteristics:

- Disability
- Sexual orientation
- Age
- Gender reassignment
- Religion and belief
- Sex
- Race
- Pregnancy and maternity

It also applies to marriage and civil partnership, but only in respect of the requirement to eliminate discrimination and

harassment.