



Revitalised Nelson

Pendle Rise Shopping Centre – Equalities Impact Assessment 2024

V10

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0.0 Introduction

0.1 Purpose

1. Raise Partnership Ltd. has been commissioned by Pendle Borough Council (PBC) to carry out an equalities impact assessment (EqIA) relating to the new development of the Pendle Rise Shopping Centre (PRSC or the Order Land) as part of the Relocation Strategy.
2. As a public sector body, PBC has a requirement to fulfil its duty under the Public Sector Equality Duty (PSED), section 149 of the Equality Act 2010. The PSED requires public bodies to not only eliminate discrimination but also to advance equality of opportunity and foster good relations between people who share protected characteristics and those who do not. An EqIA is used by public sector organisations to demonstrate how this duty has been discharged.
3. An EqIA is a systematic assessment of the effects of plans, policies, or proposals on groups with protected characteristics as defined by the Equalities Act 2010. These characteristics are outlined as; age, sex, belief or religion, race, disability, sexual orientation, gender reassignment, marriage/civil partnership and pregnancy and maternity.
4. The purpose of the EqIA is to assess the potential direct equality impacts on affected parties of the compulsory Purchase Order (CPO) for the acquisition of Pendle Rise Shopping Centre.

0.2 Project Background

5. Pendle Borough Council is seeking the comprehensive redevelopment of Pendle Rise Shopping Centre to facilitate its regeneration by the demolition of the existing property and the erection of retail buildings providing flexible commercial use floorspace, landscape amenity space and parking together with other associated works (the "CPO Scheme").
6. The acquisition and redevelopment of Pendle Rise form part of the 'Revitalised Nelson' programme, which is a project to bring vacant and underused buildings and sites back into use for residential and commercial purposes. This project is funded by approximately £12.5million of Town Deal funding, and, also includes for the provision of town centre properties for the relocation of existing PRSC tenants on a temporary and permanent basis.
7. On the 25th of August 2022 the Executive Committee of Pendle Borough Council authorised the proposed purchase of PRSC through a negotiated settlement with the current owner. Further to this, on the 30th of May 2024, the Executive Committee of Pendle Borough Council was asked to resolve that the proposed acquisition of the

freehold land denoting PRSC would be for planning purposes according to section 227 of the Town and Country Planning Act 1990.

8. The purchase of the freehold ownership completed on 20 June 2024. Although this mandate means PBC are now the owners of Pendle Rise Shopping Centre, a CPO is still being processed to ensure that all other remaining interests in PRSC can be acquired and vacant possession of the property can be obtained.
9. PBC has appointed AXIS, a property consultancy with a specialism in compulsory purchase and compensation, to support negotiations with affected businesses to purchase their interests by agreement. PBC has retained a CPO Specialist Lawyers from Eversheds Sutherland, a global top 10 law practice, to help with the process.

1.0 Methodology

1.1 Introduction

10. This section sets out the approach to assessing the potential equality impacts of the making of the CPO by PBC and the proposed acquisition of land and interests in land on owners and occupiers of PRSC should the CPO be confirmed by the Secretary of State. It also considers the potential effects on persons with protected characteristics of the proposed scheme being constructed and becoming operational. In considering potential impacts, this EqIA takes a 'worst case scenario'.

11. The approach for this report follows a four-stage process:

1. Desk-based review – including review of relevant national, regional and local policies and legislation.
2. Primary research – conducted in the form of in-person tenant liaison meetings with the affected tenants of PRSC.
3. Assessment of potential impacts – informed by a consideration of the policy context, consultation and primary research responses, baseline data; and
4. Providing recommendations and conclusions.

1.2 Desk Based Review

12. In addition to a review of recent relevant national, regional and local policies and legislation (Section 2.0) , the desk-based review will include the following:

- Review of all relevant documentation regarding the compulsory purchase of Pendle Rise Shopping Centre to create an understanding of the scheme before the assessment was undertaken. This information is provided in section 3.0.
- Review of the socio-economic profile, particularly the baseline data gathered on the population, demographic and socio-economic status of the proposed scheme area. This is outlined in section 6.0.
- Review of the material from consultation and engagement activities undertaken to date in relation to the proposed scheme, to identify any issues of relevance to

this EqlA, undertaken in section 4.0 leading into the information provided in section 8.0

1.3 Primary Research

13. To supplement the findings of the consultation and engagement activities already undertaken, and to further inform the assessment of impacts, tenant liaison meetings were carried out by the EqlA Project team with the tenants affected by the CPO, this is presented under the comms and engagement section 4.0 and 4.1.

1.4 Assessment of impacts

14. The assessment of equality impacts considers the information gathered through the above activities.

An assessment is made as to how the proposals would contribute to the realisation of effects for people with protected characteristics as defined in the Equality Act 2010. The definitions of each of the protected characteristics are outlined below, with the equalities baseline set out in section 5.0. This is then analysed in respect to the CPO scheme and laid out in sections 7.0 showing the impacts of the CPO consolidated into section 8.0.

15. These protected characteristics are:

- **Age:** this refers to persons defined by either a particular age or a range of ages. This can include children (aged under 16), young people (aged 16-25), older people or pensioners (i.e., those aged 65+), the elderly (i.e., those aged 85+).
- **Disability:** a disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. It can also include people who have progressive conditions such as HIV, cancer, or multiple sclerosis (MS) -even where someone is able to carry out day to day activities.
- **Gender reassignment:** this refers to people who are proposing to undergo, are undergoing, or have undergone a process for the purpose of reassigning their gender.
- **Marriage and civil partnership:** marriage or civil partnership can be between a man and a woman or between two people of the same sex.
- **Pregnancy and maternity:** pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth.
- **Race:** the Equality Act 2010 defines race as encompassing colour, nationality (including citizenship) and ethnic or national origins.

- **Religion or belief:** religion means any religion a person follows. Belief means any religious or philosophical belief and includes a lack of religion or belief.
 - **Sex:** this refers to a man or to a woman or a group of people of the same sex, while gender refers to the wider social roles and relationships that structure men's and women's, boys', and girls' lives.
 - **Sexual orientation:** a person's sexual orientation relates to their emotional, physical and/or sexual attraction and the expression of that attraction.
16. The assessment considers both disproportionate and differential potential impacts on groups with protected characteristics – in both the effects of the CPO, and the consequent effects of the Proposed Scheme being completed.
17. A disproportionate equality effect arises when an impact has a proportionately greater effect on protected characteristic groups than on the general population overall at a particular location. For the purposes of this EqlA, disproportionality arises:
- Where an impact is predicted for the study area, where protected characteristic groups are known to make up a greater proportion of the affected resident population than their representation in the surrounding area; or
 - Where an impact is predicted on a community resource which is predominantly or heavily used by protected characteristic groups (e.g., primary schools attended by children; care homes catering for elderly people).
18. A differential equality effect is one which affects members of a protected characteristic group differently from the rest of the general population because of specific needs, or a recognised vulnerability associated with their protected characteristic. In some cases, protected characteristic groups are subject to both disproportionate and differential equality effects. The EqlA considers impacts on groups of people and not those on specific individuals.

2.0 Policy, Legislation, and Material Considerations

2.1 Equality Act 2010 and the Public Sector Equality Duty

19. The Equality Act 2010 is a piece of UK legislation which provides the framework to protect the rights of individuals against unlawful discrimination and to advance equal opportunities for all. Section 149 of the Equality Act sets out the PSED to which PBC, as a public body, is subject in carrying out all its functions, including in the exercise of its CPO powers.
20. Those subject to the PSED must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

21. These are sometimes referred to as the three aims or arms of the PSED. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

22. The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

23. The duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation as described Section 1.4 of this report.

24. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic, but that the other arms (advancing equality and fostering good relations) do not apply.

2.2 Compulsory Purchase Order (CPO) and Guidance

25. Compulsory purchase powers are provided to enable acquiring authorities to compulsorily purchase land to carry out a function which Parliament has decided is in the public interest. Anyone who has land acquired is generally entitled to compensation. Local authorities have CPO powers under the Town and Country Planning Act 1990 and other specific Acts of Parliament to promote development and regeneration.
26. The CPO process comprises several stages, including authorisation to make the CPO, publication and notification of the CPO, examination of objections (if received), decision, implementation of the CPO and compensation stages. The acquiring authority does not have the powers to compulsorily acquire land until the CPO is

confirmed by the relevant Government minister. However, they can acquire by agreement at any time and the general presumption is that they should endeavour to do so before acquiring by compulsion.

27. Paragraph 6¹ of the Government guidance on CPO process includes an explanation of how the PSED should be taken into account. The guidance confirms that throughout the compulsory purchase process public sector acquiring authorities must have regard to the Public Sector Equality Duty.
28. The guidance acknowledges that an important use of compulsory purchase powers is to help regenerate run-down areas. Although low income is not a protected characteristic in itself, it is not uncommon for people from ethnic minorities, the elderly or people with a disability to be over-represented in low-income groups.
29. As part of the PSED, acquiring authorities must have due regard to the need to promote equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This means that the acquiring authority may need to develop a process which promotes equality of opportunity by addressing particular problems that people with certain protected characteristics might have (e.g., making sure that documents are accessible for people with sight problems or learning difficulties and that people have access to advocates or advice).

2.3 National Policies and Material Considerations

2.3.1 National Planning Policy Framework (2023)

30. The National Planning Policy Framework (NPPF) was adopted in July 2018 and updated with minor revisions in February 2019, July 2021, September 2023 and most recently, December 2023. It consolidates the Government's economic, environmental and social planning policies for England into a single document and describes how it expects these to be applied. The NPPF supersedes the majority of National Planning Policy Guidance and Planning Policy Statements and provides overarching guidance on the Government's development aims.
31. While the NPPF does not contain specific guidance on equalities, it does emphasise the importance of sustainable development and the need to support a healthy and just society. This is reflected in the key dimensions of sustainable development which relate to the economic and environmental roles of the planning system:
 - The economic role contributes to building “a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improving productivity; and by identifying and coordinating the provision of infrastructure”.

¹ Guidance on Compulsory purchase process and The Crichton Down Rules, Department for Levelling Up Housing and Communities July 2019

- The environmental role contributes to protecting and enhancing the “natural, built and historic environment; including making use of land improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy”.

32. The NPPF identifies key principles that local planning authorities should ensure that they consider, including:

- Local strategies to improve health, social and cultural wellbeing for all.
- The delivery of sufficient community/cultural facilities/services to meet local needs.
- The requirement to plan for the needs of different groups within communities.

33. In Chapter 8, the NPPF outlines how planning policy should help promote healthy communities by taking a positive and collaborative approach to enable development to be brought forward.

34. The NPPF emphasises that planning policies and decisions should aim to create places which offer; opportunities for social interaction and meetings between members of the community through the delivery of mixed-use developments, strong neighbourhood centres and active street frontages; safe and accessible environments which include social, recreational and cultural facilities and services the community needs; and access to high quality open spaces and opportunities for sport and recreation.

2.3.2 UK Government ‘Levelling Up’ Initiative

35. The Revitalised Nelson Project is funded by Town Deal Funding - a key component of the ‘Levelling Up’ initiative intended ‘to end geographical inequality by improving economic dynamism and innovation to drive growth across the country and to be achieved through projects improving the satisfaction of local residents with their town centre, enhancing engagement in local culture and community, contributing to the wellbeing of residents, and reducing crime by promoting neighbourhood renewal and creating a safer environment. The redevelopment of Pendle Rise supports these aims.

36. These efforts are especially important for PBC, a local authority that is ranked as the 36th most deprived in England, with over 30% of its neighbourhoods classified within the country’s top 10% most deprived².

2.4 Regional Policies

2.4.1 Lancashire Local Industrial Strategy 2019

² The English Indices of Deprivation 2019 – Pendle available at: www.ons.gov.Uk

37. The redevelopment of PRSC aligns with the principles outlined under the draft Local Industrial Strategy, which was informed by a detailed analysis of conditions and opportunities within the sub-region. In particular, the proposals aligned with broad investment principles under the 'Place' theme, based on the targeting of investment to address localised challenges (relating to poor town centre provision and image).

2.4.2 Lancashire County Council Economic Strategy 2023-2025

38. The proposals align closely with the theme of 'Strategic Development and Connectivity', based on supporting the local town and city regeneration plan for Nelson, as identified within the 'Strategic Development and Infrastructure Plan'. It is envisaged that the scheme will also promote enhanced access and movement through the town centre and provide enhanced conditions for businesses in Nelson.

2.5 Local Policies and material considerations

2.5.1 Nelson Masterplan – December 2021

39. The redevelopment of the PRSC is a core component of the Nelson Masterplan and will play a central role in addressing key strategic challenges faced by the town, addressing the impact of long-term voids, declining footfall and negative perceptions.
40. The Nelson Masterplan articulates the opportunities and priorities for regeneration and growth through development, infrastructure, spatial and non-physical parameters to encourage private investment.
41. The Nelson Masterplan notes that Pendle Rise currently detracts from the town centre, and repurposing the facility is identified as a core component within the future strategy for Nelson. This proposal has been adopted in the Nelson Town Investment Plan (TIP) (see paragraph 2.5.3 below).

2.5.2 Economic Recovery and Growth Strategy 2021 - 2026

42. The project directly aligns with and contributes to the pursuit of business-led and place-led employment and economic growth. It will directly 'strengthen commercial activity' in Nelson town centre through the regeneration of the PRSC, with future redevelopment offering the potential to 'raise the profile of Pendle as a place to live, work and play'.

2.5.3 Nelson Town Investment Plan 2021

43. The Nelson TIP was developed in 2021 as part of the Town Deal under the £3.6 billion Towns Fund programme, a major part of the government's plans for levelling up the UK economy. The TIP identifies Nelson as a key service and employment centre for the borough of Pendle but indicates that the town currently underperforms as a

business and residential location. In particular, landmark underutilised and vacant buildings - such as PRSC - blight the town centre and reinforce perceptions of long-term decline, which has undermined investment confidence adding to viability challenges and dwindling footfall.

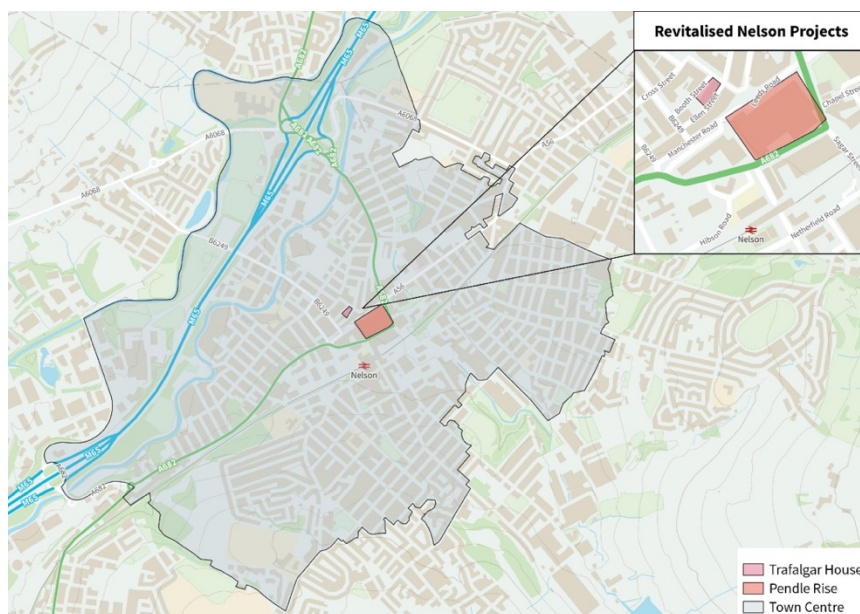
44. The redevelopment of PRSC forms part of the Revitalised Nelson element of the Town Investment Plan, which also covers relocation properties in support of the PRSC scheme and the redevelopment of a small nearby site at Trafalgar House, Market Street, Nelson.

3.0 The Proposed Development

3.1 The current site

45. The Site shown below in Figure 1.1 is located within the Bradley Ward, in Nelson Town Centre. The Site area is bound by Manchester Road, Leeds Road, and Broadway. The site is close to public transport (Nelson Interchange) however, there is currently no car park due to the previous owner selling the land where the centre's multi-storey car park was situated for redevelopment.

Figure 1.1 Context Map



46. The Site is composed of Pendle Rise Shopping Centre, Phoenix Chambers (vacant) and the basement unit under the building (vacant). The last updated information supplied by Terra Quest, a Land Referencing Company and Beddows Limited, the Centre Management Company dated 23rd June 2024, shows 19 of which are still in occupation and 25 are vacant.

47. The tenancy schedule shows that the businesses within the proposed CPO boundary are a mixture of local independents and national retailers. Please see the table below breaking down the different units:

Type	Unit No.	Tenant	Status	Area (sq ft) - Approx
Telecoms Masts	Phoenix Chambers - Roof top	Cornerstone Telecommunications infostructure Ltd	Occupied	N/A
	Phoenix Chambers - Roof top	Airwaves / Blue Mast	Occupied	N/A
	Phoenix Chambers - Roof top	NBNL – Orange / EE	Occupied	N/A
Phoenix Chambers	Court and office Buildings	Vacant	Vacant	N/A
Leeds Road	Corner Kiosk	Fruit Munch	Vacant	205
	1/3 Leeds Road	Vacant	Vacant	15,209
	2 Leeds Road	Muhammed Younis Karim and Mohammad Haroon Kareem t/a Chaudhry	Occupied	1970
	12 Leeds Road	Nelson Bazar	Vacant	10, 290
	14a Leeds Road	Vacant	Vacant	Unknown
Holme Street	1 – 7 Holme Street	Vacant	Vacant	Unknown
	17 – 19 Holme Street	Vacant	Vacant	Unknown
	21 – 27 Holme Street	Ashiq Hussain T/A Rehman's Takeaway	Occupied	2,322
Marsden Mall	1-3 Marsden Mall	Vacant	Vacant	13,115
	B1 Marsden Mall	Beans & Buns	Occupied	2,130
	B2 Marsden Mall	Vacant	Vacant	586
	2-4 Marsden Mall	Vacant	Vacant	2,143
	5 Marsden Mall	Mobile Doctor	Occupied	585
	6 Marsden Mall	Greggs	Occupied	826
	7 Marsden Mall	LPF Confectionary t/a All Sorts	Occupied	1,300
	8 Marsden Mall	Specsavers	Occupied	1,725
	9 Marsden Mall	Home Bargains	Vacant	2,896
	10-14 Marsden Mall	Lancashire Furniture Ltd	Occupied	2,150
	11 Marsden Mall	Khalid Mahmood – Gift Shop	Occupied	1,938
	15 Marsden Mall	Khalid Mahmood – Shoe Island	Occupied	938
	16 Marsden Mall	Vacant	Vacant	1,125
	17–21 Marsden Mall	Vacant	Vacant	2,218
	20 Marsden Mall	Card Factory	Occupied	1,611

Marsden Mall	22 Marsden Mall	Sam's Beauty Box	Vacant	671
	23 – 27 (odds)	Vacant	Vacant	Unknown
	24 Marsden Mall	Nelson Nutrition	Occupied	464
	26 Marsden Mall	Next Escape	Vacant	471
	28 Marsden Mall	Vacant	Vacant	519
	29 - 31 Marsden Mall	Vacant	Vacant	1837
	34 Marsden Mall	Pendle Green Grocers	Vacant	732
	35 Marsden Mall	DNL 6 UK t/a Branded Clearance	Occupied	3,511
	36 Marsden Mall	Armico News	Occupied	720
	38 Marsden Mall	Vacant	Vacant	729
Pendle Way	Kiosk	Vacant	Vacant	208
	1 Pendle Way	Ahsan Raza t/a Nelson Mobiles	Occupied	636
	3 – 15 Pendle Way	Vacant	Vacant	6,014
	4 Pendle Way	The Sofa Centre	Vacant	12,000
	2 Pendle Way	Jimmy The Jeweller	Occupied	763
PRSC Other	1 st Floor Unit 1 & 2	Vacant	Vacant	9,100
	2 nd Floor – Former First Floor Balcony Units	Vacant	Vacant	11,477
	Market Hall	Vacant	Vacant	15,515

Key - Pink – Occupied Units. Grey – Vacant

3.2 Planning permissions

48. On 11th September 2023 the Planning Permission was granted for 'Full (Major): Demolition of the existing shopping centre and redevelopment for retail use including access, car parking and landscaping.' See Appendix 2. This involves the demolition of Pendle Rise Shopping Centre, and the demolition of Phoenix Chambers.

3.3 Retail and commercial

49. The proposed scheme looks to demolish the existing buildings and, in their place, construct a new retail park for residents and visitors. The development responds to the needs and current requirements of identified national retailers interested in locating in the new PRSC.
50. The proposed scheme therefore sets out to optimise the use of the PRSC Site, addressing the need to deliver new, better-quality commercial space for the town of Nelson, through providing better-targeted uses of new prominent buildings, and a newly regenerated public realm that provides accessible routes for visitors in the Town Centre.
51. The development will improve the quality of retail stock and accessibility around the area, and providing much-needed EV charging and parking in the town centre. The

proposed scheme will create a dynamic and safer atmosphere, increasing custom for businesses and incentivising investment.

52. By working to improve the lives of residents in Nelson and build a cohesive community, this project will deliver:

- 4,000sqm of new commercial floorspace
- Up to 395 FTE jobs supported in new or refurbished commercial space
- 14 new EV charging facilities
- 1,000 sqm of new/improved public realm

53. The scheme also links with many of the other Town Deal-funded projects running in Nelson such as Accessible Nelson and the YES Hub. These benefits of these are outlined in section 7.2.1 (Improvements for walking and cycling) and section 7.2.3 (Creation of new employment opportunities) below.

4.0 Consultation and engagement

54. The business case for the Town Deal Fund, particularly Revitalised Nelson, was created by consultants Hatch after extensive consultation. Consultation was used to inform the Pendle Rise proposals, shaping the final planning application with input from local communities, stakeholders, and organisations. An online consultation followed previous in-person events for the Nelson Masterplan. During the planning phase for Pendle Rise, all PRSC tenants were contacted together with residents in adjacent areas.

55. As a result of the consultation, a total of 6 smaller units have been included on the indicative scheme layout (alongside the food store and 3 larger retail units). These could cater for smaller local independent retailers who wish to be relocated on the development.

56. The mix of different unit sizes will provide variety and interest and help the development to blend in with the mixed character of the wider Town Centre. The proposals have been designed to be flexible to allow a range of retail and leisure uses to occupy the proposed units, subject to operator interest. As a result, the scheme could deliver a coffee shop, restaurant, gym etc.

57. The proposed development will include outdoor amenity spaces to cater for visitors to the site. This will include for spaces to socialise and rest. This will also be space for retailers to take breaks and socialise with others.

4.1 Engagement with Tenants

58. PBC has engaged with PRSC tenants to seek to identify their relocation requirements. In efforts to provide potential relocation space for current Pendle Rise occupants, PBC has worked to identify feasible retail spaces within a 500-metre radius of Pendle Rise Shopping Centre. Continuous monitoring of property availability is being undertaken.
59. The Guidance recognises that the CPO process can cause anxiety for those affected and that providing advice and assistance to affected occupiers in respect of their relocation, together with details of available relocation properties where appropriate can assist. PBC has had regard to the Guidance when engaging with businesses.
60. The Relocation Strategy aims to work with those businesses affected by the proposed scheme to:
 - (a) assist in identifying relocation options in a way that best meets their needs and minimises disruption to trading.
 - (b) retain the businesses within the borough and, if possible, within proximity to the site and the community that they serve (if this is their preference); and
 - (c) prepare for change; be this in terms of relocation (i.e. communicating the move to their client base, developing methods to stay in contact with their client base and/or marketing to a new client base) or, should they wish, extinguishment.
61. As part of the engagement strategy each tenant has been met with and dialogue relating to their future requirements commenced. Each business was advised as to the proposals, approximate timescales, and the support available for each explained. The council have also made retailers aware of the proposal for the demolition of Pendle Rise and the timescale for re-locating tenants ahead of demolition and re-development
62. When meeting with individual retailers, the council have provided multiple options such as meeting in their store, at Number One Market Street meeting room or a place of their choice so that they are comfortable.
63. Retailers have been encouraged to bring an advocate to support them, with four retailers already taking up this offer. Where English is not their first language, retailers have used advocates to act as translators.
64. Several of the retailers live in Nelson or have served the Nelson community for many years, and they do not want to uproot out of the town. The council are working with these retailers to help place those who want to stay trading in Nelson in central locations in the town centre.
65. This approach will help ensure Asian-based businesses are not disadvantaged by the need to relocate out of Pendle Rise and move away from being part of, and/or within

proximity of, their community - which they also serve and their businesses rely upon.

66. The ongoing dialogue with affected businesses have helped and are helping PBC better understand individual circumstances and ensure that the relocation proposals meet their ongoing needs and accommodation requirements to the best possible extent.

5.0 Equalities Baseline

67. This section outlines the equalities baseline relevant to the regeneration scheme area. This includes analysis of Census 2021 data and other datasets³ from the Office for National Statistics (ONS).
68. PRSC is located in Nelson Town Centre which is in Nelson Bradley ward of Pendle Borough. Three miles away is Colne Waterside ward, which houses Colne Town Centre, and is used as a comparator to illustrate the extent to which protected characteristics are prevalent in the area of Nelson which is home to PRSC.

5.1 Protected Characteristics

5.1.1 Age

69. Children and older people may be more vulnerable to CPO as residents due to the potential loss of local informal and formal care networks. Young and elderly people also have an increased risk of health issues or sensitivities associated with environmental impacts during site construction. For example, evidence shows that traffic-related noise causes increased health risks for older people and lowers health-related quality of life in children. Both groups are also more vulnerable to the effects of poor air quality compared to the overall population.
70. Elderly people are also more vulnerable to the environmental, safety and accessibility impacts of construction activities associated with construction projects. 26.5% of people in Nelson Bradley are aged 15 years or younger, this is very different compared Colne waterside where only 19.4% of people are aged 15 years or younger having a higher percentage of people ages 65 years and over compared to the 11.5% of people in Nelson.

5.1.2 Disability

³ ONS: Census 2001: Usual resident population (KS001); Census 2011: Population Density 2011 (QS102UK); Census 2021: Number of usual residents in households and communal establishments (TS001). All available at: <https://www.nomisweb.co.uk/query/select/getdatasetbytheme.asp>

71. Disabled people, including those with weak respiratory systems, or people who suffer from other health problems associated with weaker lungs, may be disproportionately impacted by emissions and dust, both traffic-related and as a result of the construction of the infrastructure.
72. Additionally, in cases where disability causes people's daily activities to be significantly limited, construction can impose further limitations in terms of disruption of accessibility. 81.5% of people in Pendle are not disabled for the purposes of the Equality Act.

5.1.3 Gender Reassignment

73. Until the 2021 Census, there were no official statistics relating to gender reassignment and the UK Census only collected data relating to sex (gender assigned at birth). The 2021 Census included the optional question "Is the gender you identify with the same as your sex registered at birth?" Only 1.11% of people aged 16 years and over in Nelson Bradley have a gender identity different from their sex registered at birth.

5.1.4 Marriage and Civil Partnership

74. Since the ratification of Marriage (Same Sex Couples) Act 2013, individuals within Same Sex marriage are now equally protected from discrimination by the Equality Act 2010. Across Nelson Bradley the majority of residents ages 16 and over are married or in a registered civil partnership at 46.4%. only 0.2% of people aged 16 years and over in Nelson Bradley are married to the same sex.

5.1.5 Pregnancy and Maternity

75. 19.7% of households in Nelson Bradley are single family households of a married or civil partnership couple with dependent children and 8.5% of households in Nelson Bradley are multiple-family households with dependent children.
76. Pregnant women can be more susceptible to experiencing negative effects associated with development and the built environment. For example, pregnant women can be more susceptible to poor air quality, which can have a negative impact on birth weight. Pregnant women will also need good access to health care facilities, particularly towards the latter stages of pregnancy.
77. Accessibility is therefore an important issue for this group. With regards to income, housing and well-being, young mothers (and fathers) may be more likely to suffer from deprivation and struggle to find affordable housing.

5.1.6 Race

78. 'Race' is a social construct implemented to categorize people in groups based on their genetic and biological differences. 'Racism' describes prejudice of discriminatory behaviour and attitude towards an individual or a group of people due to their race. Racism can occur on an individual, cultural, and institutional level.
79. Nelson's diversity is very strong for a town of its size, with 58.3% of people in Nelson Bradley being Asian, Asian British or Asian Welsh compared to 6.9% of people in Colne Waterside.

5.1.7 Religion or Belief

80. The Equality Act 2010 makes it unlawful to discriminate against someone because of religion or belief, or because of a lack a religion or belief. For example, the Act protects Christians if they are discriminated against because of their Christian beliefs. It also protects those who are discriminated against because they are not Christians, regardless of whether they have another religion or no religious belief. This protected characteristic is shown with 56.6% of people in Nelson Bradley religion being Muslim and 23.1% of people in Nelson Bradley being Christian.

5.1.8 Sex

81. 'Sexism' is founded on the perceived difference between men and women as justification for their differential treatment. Sexism dangerously perpetuates harmful stereotypes for both men and women and can sustain the constructed gender hierarchy, further trapping women in gender inequality. 50.3% of people in Nelson Bradley are female which is comparable with the 50.5% of females that are in the borough of Pendle.

5.1.9 Sexual orientation

82. Sexual orientation protects all people from discrimination because of actual or perceived sexual orientation or discrimination by association. There are strong social influences that impact on people because of their sexuality with 2.03% of people aged 16 years and over in Nelson Bradley being Lesbian, Gay, Bisexual or other (LGBTQ+) this is slightly lower than average compared to 2.93% of people in Colne Waterside.

6.0 Socio-economic profile

83. The socio-economic profile of the area considers several factors including levels of deprivation and employment. These factors are pertinent to those with protected characteristics and inequality and as such provide additional baseline information relevant to the assessment of equality effects.
84. The proposed intervention will unlock the delivery of a scheme providing modern, fit-for-purpose retail facilities within the town centre. As outlined above, this will make a

very substantial contribution to supporting the continued role of the town centre as an important focus for retail and other services for local communities.

85. The 2019 Indices of Multiple Deprivation ranks the Borough of Pendle as the 36th most deprived local authority in the country (out of 317). Within Pendle, 31.6% of the Lower Super Output Areas (LSOAs) are ranked within the top 10% most deprived in the country. This also shows the highest relative levels of deprivation in the borough extend across a cluster surrounding Nelson and the town centre.
86. In terms of income and employment, Pendle ranks as the 51st and 48th most deprived in the country respectively. The delivery of new and improved commercial floor space within the town centre is expected to support key 'building blocks' for economic development, creating new opportunities for employment and service provision within the local economy. and support the regeneration of the area.
87. Economic activity and employment rates for the resident population of the Borough are notably lower than those recorded for the North-West and Great Britain. According to the ONS Annual Population Survey (2023), only 58% of Pendle's population is economically active in comparison to 78.8% of Great Britain's population.
88. The ONS Claimant Count also records 6.6% of Pendle's population to be claiming out-of-work benefits, whilst the gross median weekly pay of full-time workers in Pendle is only 82.8% of the median across Great Britain. ONS data indicates that the resident population is also relatively unqualified, as only 22.7% of residents hold NVQ Level 4+ qualifications (compared to almost 40% nationally). However, the proportion of Pendle's population with Level 3 qualifications is much more comparable to the associated figures of the North-West and Great Britain.
89. This has implications for productivity and key sectors and – based upon Experian data for 2023 - levels of productivity within Pendle remain below the average for both the North-West and the rest of the UK. For the borough, the GVA per filled job is approximately £48,756, which equates to just under 96% of the GVA per filled job figure for the North-West and just over 88% of the same metric for the UK. The proposed scheme therefore has the potential to contribute to enhancing service provision and creating new employment opportunities within an area of established need and demand for higher quality activities.

7.0 Assessment of potential equality effects

90. The assessment considers the potential impacts on persons sharing protected characteristics arising from the potential compulsory acquisition of land to enable the redevelopment of PRSC and the operation of the scheme. It considers the impacts of the potential compulsory acquisition for parties who have an interest in or occupy the proposed CPO land, before looking at the impacts of the operation of the scheme.

7.1 Impacts of the proposed CPO

7.1.1 Permanent or temporary loss of employment

91. Business owners, employees and self-employed workers at affected businesses may experience temporary or permanent loss of income and/or employment until relocated and/or where the employer closes/downsizes/relocates elsewhere.
92. Equality effects may be experienced where the pattern of effected employees affects a protected characteristic (e.g. race) disproportionately or have other protected characteristics which make them more sensitive than others to the effects of the regeneration.
93. Any employment opportunities created through the regeneration scheme should be accessible to all and promoted through a variety of channels to attract a diverse workforce.
94. The potential negative impacts for loss of employment are being mitigated against by providing support and advice through the Relocation Strategy and ensuring that they stay in business.
95. This is further supported by the change/addition of smaller retail units into the redevelopment scheme which are suitable for smaller local independent and existing businesses to be accommodated within the new Pendle Rise; providing for a more diverse mix of business and correspondingly, a more diverse workforce.
96. The YES hub, which forms part of the overall Town Deal Regeneration Programme, continues to provide an employment coaching service for the local community and works with local partners (Job Centre/Active Lancashire) to ensure existing employees and local people can benefit from job opportunities arising through the regeneration programme (see Section 7.2.3 below)

7.2 Impacts of operation of the regeneration scheme

7.2.1 Improvements for walking and cycling

97. The regeneration scheme will provide improvements to the pedestrian experience by improving existing routes and spaces in terms of better-quality road and pavement surfaces, wider and clearly defined footways, less clutter, better lighting and signage, street furniture and clear priority given to pedestrians in the design of the new development. The improved environment, lighting, signage, and permeability will encourage walking.
98. This will have benefits that can be shared by all groups with protected characteristics through an improved environment, better air quality, increased safety and more natural surveillance resulting in improved security.

99. This especially will benefit the disabled and age protected characteristic as there will be good connections with Nelson Interchange on the other side of the road for those who depend on public transport with better quality pavements and public realm leading to fewer uneven surfaces and trip hazards.

7.2.2 Improved parking/ better management of parking

100. The redevelopment of PRSC will result in new parking for retailers and visitors. This will provide benefits for those retailers/residents who have mobility impairments and rely on private vehicles for some of their journeys by improving access and parking on site. Another benefit of improved car parking is that EVC charging will be available in the new car park. This will improve the air quality around the site and improve the environment.

7.2.3 Creation of new employment opportunities

101. As stated in section 3.3, the redevelopment of PRSC brings with it the opportunity for new employment opportunities in Nelson Town Centre, with up to 395 FTE jobs being created in new or refurbished retail space. In addition to this construction jobs will be created in the build period which is forecast to cover around 12 months.
102. The groups who benefit from these new employment opportunities may vary depending on the type of business offering jobs, and correspondingly whether access to training is available where jobs require high skill/education levels - which make it harder for some groups to access the opportunities.
103. To address this, the localised YES Hub Service provides an employment coaching service for the local community. The service works with local partners (Job Centre/ Active Lancs) to provide job opportunities and training for local young people. This will be particularly beneficial as a channel for the new shopping centre to post jobs for local people and benefit those with protected characteristics.
104. The Council also work closely with Nelson and Colne College who are in the process of creating a Digital Spoke Centre in the town centre's 'ACE centre', to create more connections between the students and the town centre and raise attainment levels in digital skills.

8.0 Equalities Impacts Assessment Tables

105. The Tables in this section lay out the short-term impact of the acquisition of PRSC for redevelopment and then the long-term impact following redevelopment.

8.1 Short Term Impact Assessment Table

Protected characteristic	Positive, neutral or negative Impact	High, Medium or Low impact	Reason
Age	Negative	Low Impact	<p>Older business owners and employees may consider bringing retirement forward rather than relocating. This factor is mitigated by the commitment of PBC to ensure fair compensation, in line with the statutory compensation code (as a minimum), is paid where appropriate.</p> <p>No other disproportionate affect due to the protected characteristic of age are anticipated and no information has been received that the acquisition of PRSC for redevelopment will impact people because of these characteristics.</p>
Disability	Neutral	Medium Impact	<p>The acquisition and redevelopment of Pendle Rise will not close off accessible routes into Nelson Town Centre and therefore it is considered unlikely that anyone with these characteristics would be disproportionately affected by the proposals. We have not received any information that the project will impact people because of these characteristics.</p>
Gender Reassignment	Neutral	Low Impact	<p>It is unlikely that anyone with these characteristics would be disproportionately affected by the proposals. We have not received any information that the project will impact people because of these characteristics.</p>
Pregnancy and maternity	Slight Negative	Medium Impact	<p>There could be a disproportionate impact on the protected characteristic of pregnancy and maternity if relocation took pregnant women or mothers away from existing family support and childcare arrangements.</p> <p>This could affect their ability to stay in their employment and/or affect their well-being.</p> <p>This is mitigated by the relocation strategy which is designed to ensure that displaced businesses can stay operating within their existing locality and community.</p>
Race	Negative	Low Impact	<p>There could be a disproportionate impact on the protected characteristic of race, due to the prevalence of Asian owned businesses within Pendle Rise.</p> <p>Business closure or relocation could displace individuals and adversely affect businesses and the community which rely on each other.</p>

			<p>The relocation strategy is designed to ensure that displaced businesses can stay operating within their existing locality and community.</p> <p>This will benefit business owners and employees and the members of the local community that support and are supported by the businesses.</p> <p>This approach will help ensure Asian-based businesses are not disadvantaged by the need to relocate out of Pendle Rise and move away from being part of, and/or within proximity of, their community - which they also serve and their businesses rely upon.</p>
Religion or Belief	Negative	Low Impact	<p>There could be a disproportionate impact on the protected characteristic of Religion, due to the prevalence of those of an Islamic faith who own businesses, work and visit PRSC in line with the demographics of Nelson in respect to religion as outlined in Section 5.1.7.</p> <p>This is mitigated by the relocation strategy, which is designed to ensure that displaced businesses can stay operating within their existing locality and community</p> <p>Maintaining the geographic integrity of the existing community enables those working in and using the facilities to have ready access to their current places of worship without disruption.</p>
Sex	Neutral	Low Impact	<p>It is unlikely that anyone with these characteristics would be disproportionately affected by the proposals. We have not received any information that the project will impact people because of these characteristics.</p>
Sexual Orientation	Neutral	Low Impact	<p>It is unlikely that anyone with these characteristics would be disproportionately affected by the proposals. We have not received any information that the project will impact people because of these characteristics.</p>

8.2 Long Term Impact Assessment Table

Protected characteristic	Positive, neutral or negative Impact	High, Medium or Low impact	Reason
Age	Positive	Low Impact	<p>For the younger generation, the new development will provide more employment opportunities within the town centre – this will be linked with the YES employment hub to give them the confidence, skill set, contacts and opportunities to find work, and the Nelson and Colne College digital hub and spoke centres which are being delivered through the Nelson Town Deal programme.</p> <p>For the protected characteristic as a whole, the council are keen to keep cohesiveness of the existing community through the relocation strategy and also through the accessibility improvements as a result of public realm.</p> <p>The Council are working closely with the owner of existing retailer Nelson Nutrition, which is an important asset for the health and well-being of the community across all ages to ensure this facility is relocated and stays available.</p> <p>The Leader of the Council is working closely with the developer on the feasibility of a new health / diagnostics hub being located within the centre to further improve access to health care for all ages.</p>
Disability	Positive	Medium Impact	<p>The new development, in links with the Accessible Nelson Project will provide improvements to the pedestrian experience by improving existing routes and spaces in terms of better-quality road and pavement surfaces, wider and clearly defined footways, less clutter, better lighting and signage, street furniture and clear priority given to pedestrians in the design of the new development.</p> <p>The improved environment, lighting, signage, and permeability will encourage walking. There will also be good connections with Nelson Interchange on the other side of the road for those who depend on public transport with better quality pavements and public realm leading to fewer uneven surfaces and trip hazards.</p> <p>These improvements will particularly benefit protected characteristics of age and disability, in respect of improving accessibility for those with limited mobility, but the benefits will be shared by all groups with protected characteristics through an improved environment, better air quality, increased safety and more natural surveillance resulting in improved security</p>

Gender Reassignment	Neutral	Low Impact	It is unlikely that anyone with these characteristics would be disproportionately affected by the proposals. We have not received any information that the project will impact people because of these characteristics.
Pregnancy and maternity	Positive	Medium Impact	<p>The new development will have all retail space on the ground level making it easier for wheelchairs and prams to get around. The new car park will have a positive effect with new child and parent parking, new disability spaces and create open linkages with the Nelson Interchange train / bus station.</p> <p>The Leader of the Council is working closely with the developer on the feasibility of a new health / diagnostics hub being located within the centre to further improve access to health care for all ages.</p>
Race	Positive	Low Impact	<p>As indicated extensive consultation at different stages has sought to ensure that needs of all communities have been taken into account as far as possible. As indicated in Section 5.1.6, the Asian community represents a large proportion of the population of Nelson and a majority of Town Centre businesses.</p> <p>The consultation has ensured that the needs of the Asian community have been taken into account through changing the scheme to create some small retail units within the development to accommodate the small local businesses that are prevalent in Nelson.</p> <p>The relocation strategy is also designed to ensure that displaced businesses can stay operating within their existing locality and community. This will benefit business owners and employees and the members of their local community that support and are supported by the businesses.</p> <p>The development team are also looking at opportunities for food and beverage and event space within the development, which is a popular requirement of the Asian community.</p> <p>As a result of the redevelopment a new, improved and diverse retail offer will have been created, attracting more visitors and trade to the town centre, which will be of positive benefit to existing town centre businesses and employment creation.</p>
Religion or Belief	Neutral	Low Impact	In recognition of the demographics of Nelson in respect to religion as outlined in Section 5.1.7, changes were made to the PRSC proposals, to include some smaller retail units to suit local businesses. This change goes hand-in-hand with the relocation strategy, in support of the intention to

			<p>keep existing businesses and employees within their community.</p> <p>Maintaining the geographic integrity of the existing community enables those working in and using the facilities to have ready access to their current places of worship without disruption.</p>
Sex	Neutral	Low Impact	It is unlikely that anyone with these characteristics would be disproportionately affected by the proposals. We have not received any information that the project will impact people because of these characteristics.
Sexual Orientation	Neutral	Low Impact	It is unlikely that anyone with these characteristics would be disproportionately affected by the proposals. We have not received any information that the project will impact people because of these characteristics.

9.0 Summary

106.This EqIA demonstrates PBC’s due regard to the Equality Act 2010 and the PSED with regards to the impact that the proposed CPO and the delivery and operation of the proposed redevelopment scheme may have on persons sharing protected characteristics under the Equality Act 2010.

107.The assessment identifies that there may be a minor adverse impact of the proposed compulsory acquisition upon persons who share the protected characteristics of age, pregnancy or maternity, race, religion or belief. However, the assessment identifies mitigation measures which are and will be employed by PBC in order to minimise or eliminate those potential adverse equality effects.

108.The Relocation Strategy is designed to minimise impact of the proposals by allowing those businesses affected to stay in business in the same immediate vicinity of Pendle Rise wherever possible. Social cohesion is protected. This not only provides mitigation of negative effect in the short term, but positive effect in the longer term. Once the redeveloped Pendle Rise is open and operating a new, improved and diverse retail offer will have been created, attracting more visitors and trade to the town centre.

109.The assessment does not identify any potential adverse equality effects on persons who share protected characteristics arising from the operation of the regeneration scheme.

110.There will however be positive equality effects upon persons who share the protected characteristics of age, disability, pregnancy and maternity and race arising from the measures which form part of the PRSC proposals. In many cases these have been implemented following consultation, and include:

- More job opportunities will be provided, with up to 395 full time jobs. The links through the localised YES Hub service will be particularly beneficial to be a channel for the new shopping centre to post jobs for local people and benefit those with protected characteristics.
- Improved cycling and walking routes, improving the pedestrian experience through improving routes and space giving thought to those with limited mobility, wheelchairs, white canes and prams.
- New parking is available for retailers, visitors and residents of the area with the inclusion of EVC Charging improving air quality, parent and child parking and disability spaces.
- The Leader of the Council is working closely with the developer on the feasibility of a new health / diagnostics hub being located within the centre to further improve access to health care for all ages.
- The relocation team working with all business in the centre to keep businesses and employees within their community and this will enable those working in and using the facilities to have ready access to their current places of worship without disruption.
- New additional smaller units have been identified and implemented into the new development to accommodate small local businesses that are prevalent in Nelson.
- Opportunities are being explored for food and beverage and event space within the development.
- A new, improved and diverse retail offer will have been created through a combination of the relocation strategy and the new development, attracting more visitors and trade to the town centre, which will be of positive benefit to existing town centre businesses and employment opportunities.