

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to: CABINET MEMBER FOR TRANSPORT AND ROADS, AND
CABINET MEMBER FOR VALUE FOR MONEY AND
EFFICIENCY, JOINTLY WITH THE CORPORATE
DIRECTOR, ECONOMY

Report of: ASSISTANT DIRECTOR TRANSPORTATION AND
CONNECTIVITY

Date of Decision: 1 November 2017

SUBJECT: CAR CLUB PROCUREMENT STRATEGY

Key Decision: No Relevant Forward Plan Ref:

If not in the Forward Plan: Chief Executive approved ☐
(please "X" box) O&S Chairman approved ☐

Relevant Cabinet Member(s): Councillor Stewart Stacey - Transport and Roads
Councillor Majid Mahmood - Value for Money and
Efficiency

Relevant O&S Chairman: Councillor Zafar Iqbal - Economy, Skills and Transport
Councillor Mohammed Aikhlq – Corporate Resources
and Governance

Wards affected: All

1. Purpose of report:

- 1.1 To seek approval to establish a car club service in Birmingham from all available car club bay locations on the highway following a successful trial period, allowing for expansion of existing car club provision.
- 1.2 To seek approval to commence procurement activity for a car club provider using the 'open' route for a Birmingham car club scheme.

2. Decision(s) recommended:

That the Cabinet Member for Transport and Roads, and the Cabinet Member for Value for Money and Efficiency, jointly with the Corporate Director, Economy:

- 2.1 Approve the Full Business Case (Appendix A) which proposes to assign a car club operator to provide a car club service in Birmingham from all available car club bay locations on the highway, allowing for expansion of existing car club provision.
- 2.2 Approve the commencement of the procurement process for the Birmingham car club scheme in accordance with the strategy in the Full Business Case (FBC).
- 2.3 Delegate authority to approve the award of the contract to the successful provider to the Corporate Director, Economy in conjunction with the Director of Commissioning and Procurement, the Interim Chief Finance Officer (or their delegate) and the City Solicitor (or their delegate).
- 2.4 Authorise the City Solicitor to negotiate, execute, seal and complete all necessary documentation to give effect to the above recommendations.

Lead Contact Officer(s): David Harris – Transport Policy Manager
Naomi Coleman – Senior Transport Policy Officer
David Waddington – Assistant Procurement Manager

Telephone No: 0121 464 5313, 0121 303 7868, 0121 303 4106

E-mail address: david.i.harris@birmingham.gov.uk
naomi.r.coleman@birmingham.gov.uk
david.waddington@birmingham.gov.uk

3. Consultation

3.1 Internal

3.1.1 The Cabinet Member for Clean Streets, Recycling and Environment has been consulted in respect of the environmental and Air Quality benefits arising from the proposed scheme set out in this report and is supportive of the proposals.

3.1.2 Officers from Growth and Transportation, Highways, Corporate Procurement Services, City Finance, and Legal and Governance have been involved in the preparation of this report.

3.2 External

3.2.1 Soft market testing was undertaken with potential suppliers to evaluate the market and the responses have been considered within the formulation of this strategy.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 This proposed scheme is consistent with the City Council's Vision and Forward Plan, March 2017. It will support the following key priorities:

- Health - a great place for people to grow old in.
 - Creating a healthier environment for Birmingham;
 - Increased use of public spaces for physical activity; more people walking and cycling
- Jobs and Skills – A great place to succeed in.
 - Investment in infrastructure and improvement connectivity;
 - The development of a modern sustainable transport system that promotes and prioritises sustainable journeys.

It will also support the following cross cutting objectives:

- Increase in the percentage of total trips by public transport;
- Improved air quality.

Car clubs broaden transport options for Birmingham citizens. They promote more sustainable travel behaviours, offer an alternative to private car ownership, reduce car usage and congestion, and provide access to more efficient, low emission vehicles when required, thereby improving air quality.

4.1.2 The Birmingham Development Plan (BDP) sets out that by 2031 Birmingham will be renowned as an enterprising, innovative and green city that has delivered sustainable growth meeting the needs of its population and strengthening its global competitiveness. As an alternative to private car ownership, car club provision can help to justify and manage reduced car parking requirements permitted as part of new developments, particularly in the city centre and key local centres. The BDP sets out support for car clubs in the city.

4.1.3 The Council's Birmingham Connected 20-year strategy for improving the city's transport network details a need to promote different ways of using and owning cars in order to see fewer cars owned across the city and to reduce the cost of living in Birmingham, citing car clubs as an example.

4.1.4 Transport for West Midlands' Strategic Transport Plan "Movement for Growth" sets out plans for 'better integration of transport through a smart mobility approach with public transport, car clubs, park and ride and bike hire'.

4.1.5 The Government have indicated that forthcoming legislation; Air Quality (Mandatory Road User Charging Schemes) (England) Regulations 2017, will mandate the introduction of a Clean Air Zone (CAZ) in Birmingham. Improved car club provision will offer a viable alternative to car ownership and increase usage of sustainable transport modes, particularly in the city centre where air quality is a significant problem. This proposal will offer car club vehicles that are significantly more efficient and less polluting than average private cars, and will offer the potential for Ultra Low Emission Vehicles (ULEV) to also be available for hire.

4.1.6 Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance to the BBC4SR will be a mandatory requirement for tenderers and will also form part of the conditions of contract. Tenderers will submit an action plan with their tender submissions

that will be evaluated in accordance with the FBC. The action plan of the successful tenderer will be implemented and monitored during the contract period.

4.2 Financial Implications

4.2.1 Substantial investment is required from a potential car club provider. Therefore it is not considered viable for the Council to seek to make income from any contractual arrangement, above permit fees, in the interest of meeting the Council's sustainable transport policy objectives. The contract will allow potential for arrangements to be reviewed after 3 years if there is considered to be potential for the Council to secure a percentage share of gross income at this stage. Research has not revealed any other examples of authorities securing profit from Car Club contracts outside of permit fees. In fact it is more common for authorities to invest heavily in early Car Club operations (funding vehicles for example) to incentivise growth.

4.2.2 The Council will charge an annual permit fee per bay to the car club provider for use of on-street parking locations. The following fees have been agreed with BCC Highways, and are based on existing fees (£250 per bay), best practice analysis in other cities, and a reflection of the desirability of the bay/location. Prices also acknowledge the need to grow the Birmingham car club market, encourage investment, and avoid prohibitively expensive charges. Permit prices are subject to reviews and may change throughout the life of the contract:

- City Centre Inner Zone 'floating' bays: £500
- All other City Centre bays ('floating' and designated bays): £350
- Wider City designated bays: £250

4.2.3 Currently permit revenue from existing bays is £2,250 (£250 x 9). In future the revenue is expected to rise to £8,050 per year for year 1, based on full occupation of 22 bays (including the existing 9 designated bays, 3 additional designated bays and a further 10 'floating' bays in the city centre). This has the potential to increase to approximately £11,650 a year with the provision of a further 12 bays across the city over the subsequent 4 years (34 bays in total), as per 5.2.2. Actual income may vary depending on eventual locations of bays. It is hoped that revenue will be significantly higher if further funding for bay implementation enables greater expansion (see 5.2.5 to 5.2.8).

4.2.4 Permit revenue will support the ongoing maintenance of designated bays, estimated to be approximately £27.55 a year per bay. Based on plans for expansion set out in this report, total maintenance costs for all bays for year 1 would be approximately £330 increasing to £661 a year in year 5.

4.2.5 The implementation of approximately 15 designated bays (see 5.2.2) will incur implementation costs (including signs, lines and Traffic Regulation Orders), funded through an allocation of £55,000 from the City Council's Integrated Transport Block (ITB), approved through the Transportation and Highways Capital Funding Strategy report on 16 May 2017. Authority to progress these works will be secured under Chief Officer delegation.. Implementing 10 'floating bays', which utilise Council on-street parking bays in designated areas in the city centre, does not require capital funds as no signage or regulation is required. The spaces will be allocated in areas where parking is not saturated and therefore loss of parking revenue will be minimal if any.

4.3 Legal Implications

4.3.1 Under the general power of competence per Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in this report and they are within the boundaries and limits of the general power of competence Section 2 and 4 of the Localism Act 2011.

4.4 Public Sector Equality Duty

4.4.1 An initial Equality Analysis has been carried out (ref EA00170), and is attached at Appendix C. No adverse effects have been identified from the actions recommended in this report.

5. **Relevant background/chronology of key events:**

5.1 Background

5.1.1 Car clubs provide a flexible, pay-as-you go car hire option, allowing individuals and organisations to book, drive and return a car at any time. For a Birmingham resident, this provides the opportunity to avoid private car ownership. Particularly in the city centre, but

increasingly elsewhere in the city, residents will be able to use sustainable forms of transport for the majority of journeys, but will have the option to use a car club vehicle when necessary (for transporting bulky items for example). Cars will be located in easily accessible on-street locations, particularly around residential developments. Where one car is in use, another should ideally be available within walking distance.

- 5.1.2 With plans set out in the Birmingham Development Plan (agreed in January 2017) to build over 50,000 new homes, there is a prediction that the city could face the challenge of 80,000 more cars in the city and 200,000 more daily trips by 2031. The Birmingham Connected White Paper sets out plans to contain growth in car use, and limit the damage to public health and road safety which over reliance on cars can cause. Car clubs are a proven way to reduce car dependence by making access to cars more flexible, reducing pressure on road space and the requirement for parking and encouraging sustainable behaviour. They also have potential to reduce the cost of living in Birmingham for some of our low earning households, whilst enhancing accessibility to jobs and amenities.
- 5.1.3 The most recent Carplus Survey for England and Wales 2015/16, reveals that:
- Car clubs reduce levels of car ownership, with each car club vehicle deferring the purchase of 11 private cars;
 - Car club vehicles, being well maintained and often only a few years old, are safer and have 42% lower carbon emissions than the average private car;
 - Car club members travel more often by bicycle, train and bus than the national average;
 - Members drive an average 1,000 fewer miles a year after joining.
- 5.1.4 Car clubs provide customers with access to modern, more efficient vehicles with reduced emissions which might not be affordable privately. Broadening the car club offer in Birmingham can help us to contribute to the challenges of improving air quality and reducing emissions.
- 5.1.5 In 2011 the City Council introduced a trial on a number of on-street designated car club bays, through the Highways and Transportation Capital Programme. A quotation was advertised on Findit in Birmingham which concluded in the award of a contract to Enterprise Car Club providing the opportunity to operate from the bays for 3 years. There are currently 9 designated on street car club bays in Birmingham. 8 are within the city centre, at 6 different locations (some are double bays), and 1 is in Selly Oak. At present, Enterprise Car Club operate 8 vehicles from these sites and a further 7 vehicles from locations off the public highway. The operator pays the Council an annual permit fee for each bay on the highway. This arrangement is now up for review. The trial has been considered successful with significant potential for expansion.
- 5.1.6 All current and proposed car club bays in Birmingham operate a 'return to base' model where cars must be collected from and returned by the customer to the same location.
- 5.1.7 Latest 2017 figures show that there are currently 178 Enterprise Car Club members in Birmingham, with about 12 members to each vehicle (please note that this includes all Enterprise vehicles, some of which are not on the highway). It is felt that at the moment the scale of the project has not reached a level where Car Clubs have a strong presence in the city and are seen as a viable alternative to private car ownership by the general public. However interest shown from potential providers and case studies from other cities demonstrates strong potential for the market to grow significantly. With expansion of the scheme the cars will be more visible and there will be greater availability for the customer.
- 5.1.8 Co-wheels, a social enterprise, also operate 10 vehicles in South Birmingham, including the first electric car club vehicle in Birmingham. This operation has expanded organically and is run without the need for Council support as the cars are not located in designated bays; they are parked off the public highway, or in on-street locations (outside controlled parking areas) where customers return vehicles as close to the pick-up point as possible.
- 5.1.9 An indication of the untapped potential for car clubs in Birmingham was demonstrated with the launch of the 'Car2Go' scheme in 2013. This on-demand, one-way car club service provided 250 smart cars in the city and proved very popular, generating 7,000 members within the first 12 months. Unfortunately the operator decided to leave the UK market in 2014 due to the

unsuccessful development of Car2Go's London operation.

5.2 Project Proposal

5.2.1 Car clubs can help to meet outcomes from the Council's Vision and Forward Plan, March 2017; helping to reduce congestion and improve air quality, and supporting 'the development of a modern sustainable transport system that promotes and prioritises sustainable journeys'. It is therefore proposed that a procurement strategy and delivery model for car clubs in Birmingham is agreed.

5.2.2 A single operator is required to run the existing 9 designated on-street car club bays as well as support the Council in expanding the scheme throughout the City. The provider will be expected to provide car club vehicles for all available bays, maintain the vehicles, and manage all customer service. Further rollout of car club bays is intended to take two forms; 'dedicated bays' and 'floating bays'. In Year 1 of the contract it is intended that 3 new dedicated bays and approximately 10 'floating' bays will be in place. The 3 dedicated bays are programmed to be in place by March 2018 through the implementation of controlled parking schemes in Eastside, Ladywood and Digbeth, subject to Traffic Regulation Order consultation. Below is an estimated indication of timeframes. Higher levels of provision are desired and will be sought if further funding is secured or planning agreements enable this (see 5.2.6 to 5.2.9)

Contract Year	Existing Bays	New Floating bays	New designated bays	Total number of bays
Year 1	9	10	3	22
Year 2	22	0	3	25
Year 3	25	0	3	28
Year 4	28	0	3	31
Year 5	31	0	3	34

5.2.3 **Floating Bays** - It is proposed that a 'floating' bay system is developed in the city centre. This will utilise pay and display parking locations for car club vehicles and will allow the customer to collect and return a car to pay and display bays within a small designated location on a specific road (a 'return to base' model). In liaison with BCC Highways, 10 potential additional locations have been identified for introduction with the new contract. This approach ensures best usage of parking bays in areas of high demand (but not saturation). No infrastructure costs are incurred, allowing for quick implementation and flexibility to change location if necessary.

5.2.4 **Designated Bays** - Additional designated on-street bays, requiring signs, lines and a TRO, will be provided elsewhere in the city prioritising the following areas:

- New Controlled Parking Zones or Residents' Parking Schemes;
- Green Travel Districts and Local Centres;
- Significant new residential developments; and
- The City Centre (if floating bays are not viable because parking is too saturated, preventing cars from being returned)

These will be funded through approved Highways and Transportation Capital Programme and delivery will be subject to Chief Officer approvals. Funding will also be sought from Section 106 monies, providing car club facilities for new developments. It is proposed that a minimum of 15 new designated bays will be provided during the length of the contract.

5.2.5 It is important to note that provision of further bays, above the 9 designated bays that are currently in place, is not approved or guaranteed through this report which is for the purpose of procuring a new provider. The Council is committed to expanding the network and funding is available to do so. It is also prudent to indicate our intentions to ensure the opportunity is attractive for a new provider. But the Council will work with the new provider to implement new bays and cannot yet guarantee the timescales for this, or the location of future bays.

5.2.6 Wherever possible new bays will be provided as part of an existing scheme such as Controlled Parking Schemes or S106 Schemes around new developments. This will minimise costs, particularly by combining TRO costs. Existing S106 funds are being reviewed for opportunities

to utilise these for bay installation.

- 5.2.7 Work is underway to strengthen planning policy and review planning conditions to make consideration of car club space a standard requirement for new developments and ensure that, where appropriate, Section 106 monies are allocated for car club bays as standard in future. Consideration should also be given to funds for incentivising car club membership and marketing car clubs to new residents. A revised policy in this respect will be consulted on within the forthcoming Design Guide Statutory Planning Document (SPD) and the Parking SPD, which is currently being reviewed.
- 5.2.8 Should the new operator wish to see additional bays installed, which are not due to be implemented at public cost, they will need to seek Council approval and pay the implementation costs for this.
- 5.2.9 Through work on developing Green Travel Districts and liaison with businesses, there may be opportunities to encourage additional off-street car club bays to be introduced by the private sector. These can be installed at no cost to the Council and will further extend car club availability. However on-streets bays are generally preferred by operators for reasons of visibility, credibility, accessibility and security
- 5.2.10 It should be noted that potential Section 106 money has been provisionally allocated for car club expenditure as part of the Beorma project in Digbeth. The funding is not guaranteed, as it is dependent on the completion of development as agreed in existing planning permission and has therefore not been included in the FBC. The agreement fully funds the implementation of 9 on-street bays, 9 car club vehicles and membership fees for all residents of the Beorma project in Digbeth for the first 4 years of occupation. Subject to this development being completed within the lifetime of this contract, the successful supplier would be eligible to operate these bays. Further legal and financial arrangements will be put in place to allocate the additional funds for vehicles and membership fees.
- 5.2.11 The specification for the new operator will ensure that stringent emissions criteria for car club vehicles will be followed. The specification will also state a preference for ULEV, or demonstration of the potential to provide these. The operator will be obliged to liaise with the new electric vehicle (EV) infrastructure provider (this contract is due to be awarded late 2017) regarding the provision of charging infrastructure and running costs. These costs will not be covered by the Council. However should Section 106 or similar funding become available in a location where the Council wish to support ULEV uptake, there may be the potential to fund the installation of EV car club bays. These specifications will support Clean Air Zone proposals, and provide greater access to low emission vehicles for those who might otherwise not be able to afford to own one.
- 5.2.12 The specification will ensure that clear requirements are set in place for sharing membership and usage information throughout the contract to measure the success of the scheme and ensure smooth handover for citizens should a new operator be assigned in future.

5.3 Procurement Strategy

- 5.3.1 To enable the successful delivery of the project, a procurement exercise will be undertaken, using the 'open tendering procedure'. Further detail is contained in the FBC.
- 5.3.2 The proposed duration of the contract will be for a period of 3 years with the option to extend for a further 2 years subject to satisfactory performance, uptake by citizens and Council priorities. This period has been chosen in consultation with the market due to the high level of investment required by operators. Satisfactory performance will be determined by:
- Provider occupying all available bays.
 - Provider cooperating to allocate new bays (suggesting and agreeing appropriate locations).
 - Growth in average members per bay (from 12 to at least 22).
 - Provider cooperating to share data as requested.
 - Provider and/or Car Plus survey evidence on usage, emissions, car-use reduction, customer satisfaction.

5.3.3 The contract will seek a single operator for Birmingham who will have exclusive access to any designated car club location or floating bay on Birmingham's highway network. This allows exclusive operating rights within controlled parking zones (CPZs) in particular. Other operators will still be able to operate within Birmingham, but will have to do so without designated bays, or specific rights to locations on the highway. They will not be able to operate from highway locations within CPZs as this would require a permit. An exclusive arrangement with an operator will allow the provider to focus investment and marketing, and will simplify the end-user experience. It will enable a collaborative relationship between provider and the Council in expanding and marketing the network and selecting future locations for bays. Smoother integration of electric vehicles (EV) into the car club market will be possible with direct collaboration between the car club operator and the EV infrastructure provider. Explicit conditions will be included in the procurement specification to ensure that the selected operator commits to filling available bays. This will allow for bays to be positioned in a wide variety of locations, whilst being financially viable.

5.3.4 Following approval of this report the opportunity will be advertised and a tender pack released in late October 2017. Evaluation of tender submissions will take place in November/December with delegated approval sought in mid/late December. Contract award and mobilisation will occur in January 2018 and it is proposed that the contract commences in January 2018.

6. Evaluation of alternative option(s):

6.1 An alternative option would be to not offer a car club service to Birmingham citizens. This would limit mobility options within the city. It would miss an opportunity to discourage and reduce private car usage, limiting impacts on air quality and congestion. A customer base has been generated under the pilot scheme and this would leave existing members without a service.

6.2 A Car Club scheme could be operated 'in-house' by the Council. However this would require very significant investment in vehicles, technology, and staffing so this is not considered viable. Commercial suppliers offer significant knowledge of the market, and often have considerable collateral to improve the service they offer (such as apps, websites, and add-on services like long term car hire).

6.3 Procurement Options

6.3.1 Alternative procurement options were considered:

- Use of a collaborative framework agreement: There is a framework agreement currently in place led by Crown Commercial Services. This option was rejected as the framework agreement expiry date does not align with the Council's requirement.
- Use of the Amey Highways Maintenance Private Finance Initiative (PFI) Contract: This option was considered and discounted as the scope of this project falls outside the existing contractual agreement with Amey under the PFI.

6.3.2 Alternative sourcing options were considered:

6.3.2.1 A multi-operator contract was considered. This was discounted for the following reasons:

- The fair allocation of available bays could prove to be very administratively intensive.
- In a small market multiple operators can cause confusion and expense for customers, who may need to pay multiple membership costs to access all available vehicles.
- Marketing power may be diluted.
- Carplus suggest that multi-operator models work best once a market has at least 100 vehicles. Therefore this is a model which would be prudent to explore once the Birmingham car club market is more established.

6.3.2.2 A tiered contract was considered whereby a first tier company would be given first refusal of all available car club bays, and a second tier company would be offered any bays which remained unoccupied. This was discounted for the following reasons:

- This approach has not been tested elsewhere in the UK.
- The second tier position would not offer enough scope to be attractive to a provider.
- This approach would inhibit the Council from consulting with a chosen provider on where bays should be located, which can provide valuable insight for ensuring successful expansion.

7. Reasons for Decision(s):

- 7.1 To inform Cabinet Members and seek approval for the Car Club Procurement Strategy to support the delivery of the Birmingham Development Plan, Birmingham Connected, and Movement for Growth objectives through a reduction in private car usage, an increase in sustainable travel, improvements to air quality and reduced carbon dioxide emissions.

Signatures

Date

Councillor Stewart Stacey
Cabinet Member for Transport and
Roads

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Councillor Majid Mahmood
Cabinet Member for Value for
Money and Efficiency

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Waheed Nazir,
Corporate Director, Economy

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List of Background Documents used to compile this Report:

- [Carplus annual survey of car clubs 2015/16, England and Wales \(excluding London\)](#), Car Plus, April 2016
- [The Economic Case for Car Clubs](#), Car Plus, October 2015

List of Appendices accompanying this Report (if any):

Appendix A: FBC
Appendix B: Map - Birmingham City Centre Car Club proposals
Appendix C: Equality Analysis

PROTOCOL

PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) promote understanding.
- 5 The relevant protected characteristics are:
 - (a) Marriage & civil partnership
 - (b) Age
 - (c) Disability
 - (d) Gender reassignment
 - (e) Pregnancy and maternity
 - (f) Race
 - (g) Religion or belief
 - (h) Sex
 - (i) Sexual orientation