

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	STRATEGIC DIRECTOR FOR ECONOMY
Date of Decision:	16 FEBRUARY 2016
SUBJECT:	UPDATED TRANSPORTATION AND HIGHWAYS CAPITAL FUNDING STRATEGY 2015/16 TO 2020/21 PROGRAMME DEFINITION DOCUMENT
Key Decision: Yes	Relevant Forward Plan Ref: 000224/2015
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s) or Relevant Executive Member for Local Services:	Councillor Tahir Ali – Cabinet Member for Development, Transport and the Economy
Relevant O&S Chairman:	Councillor Victoria Quinn – Economy, Skills, and Sustainability
Wards affected:	ALL

1.	Purpose of report:
1.1	To seek approval to the Programme Definition Document updating the Transportation and Highways Capital Funding Strategy (THCFS) for the period 2015/16 to 2020/21 at a total estimated capital cost of £253.916m and allocate new Integrated Transport Block (ITB) capital funding available through the Local Transport Capital Settlement (LTCS) process. The firm allocations for 2015/16 and 2016/17, and provisional allocations for 2017/18 to 2020/21 support a range of projects and programmes that contribute towards achieving the Council's key policies and priorities as set out in the Council Business Plan and Budget (2015+ and 2016+), West Midlands Strategic Transport Plan, Birmingham Development Plan and the Birmingham Connected transport strategy. The THCFS has been developed to align with the Council's proposed Capital Expenditure Programme for 2016/17 to 2018/19.
1.2	To seek approval to a match funding strategy to meet the Council's local contribution commitments relating to Department for Transport (DfT) major schemes, the Local Growth Fund (LGF), Local Sustainable Transport Fund (LSTF) and Cycle City Ambition Grant (CCAG) programmes. This includes the allocation of net surplus Bus Lane Enforcement income to Transportation and Highways projects, as required by the Bus Lanes Contraventions Regulations 2005.
1.3	To seek approval to release development funding for 2015/16 (£0.905m) and 2016/17 (£1.120m) to progress individual projects to Project Definition Document (PDD) or Full Business Case (FBC) stage in accordance with the Council's Gateway and Related Financial Approval Framework (GRFAF).

2.	Decision(s) recommended:
	That Cabinet:
2.1	Approves the Programme Definition Document provided as Appendix A (including annexes A to H setting out schemes, programme governance and prioritisation criteria) to this report at a total estimated cost of £253.916m;
2.2	Approves firm allocations of £5.159m in 2015/16 and 2016/17, and estimated allocations of £5.159m per annum for the period 2017/18 to 2020/21 of new ITB funding provided through the LTCS process;
2.3	Notes the alignment of the THCFS with the Council's proposed Capital Expenditure Programme (CEP) for 2016/17 to 2018/19, as shown in Appendix B to this report;

2.4	Approves the release of development funding for 2015/16 (£0.905m) and 2016/17 (£1.120m) to progress individual projects to Project Definition Document (PDD) and FBC stage in accordance with the Council's GRFAF;
2.5	Approves the match funding strategy detailed in this report to enable the Council to meet its local contribution commitments relating to DfT major schemes and the LGF, LSTF and CCAG programmes and notes the requirement to fund (potentially from prudential borrowing) an estimated £16.611m from 2020/21 relating to the Tame Valley Viaduct and Dudley Road major projects;
2.6	Approves an additional preparatory costs application to the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) for £0.510m to support development activities associated with the Ashted Circus, Battery Way, Iron Lane and Birmingham Sustainable Urban Extension projects. These sums remain within the overall LGF allocations for each project, but will enable the early drawdown of resources to meet the costs of preparatory activities. Grant acceptance is recommended to be delegated to the Council's Section 151 Officer;
2.7	Approves the use of net surplus income from the Council's Bus Lane Enforcement operation to meet local funding contribution commitments relating to the LGF programme, as set out in this report, noting a forecast operating surplus of £3.964m at 31 March 2016;
2.8	Authorises the City Solicitor to negotiate, execute and complete any necessary legal documentation to give effect to the above recommendations.

Lead Contact Officer(s):	Phil Edwards – Head of Growth and Transportation
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3. Consultation	
	<u>Internal</u>
3.1	Consultation has been undertaken with the Cabinet Member for Sustainability, Cabinet Member for Inclusion and Community Safety, Cabinet Member for Commissioning, Contracting and Improvement, Strategic Director for Major Projects, Acting Strategic Director of Place, Director of Highways and Resilience and Acting Assistant Director Transportation and Connectivity who support the proposals contained within this report.
3.2	Officers from City Finance and Legal and Democratic Services have been involved in the preparation of this report.
	<u>External</u>
3.3	Full external consultation will be undertaken as part of individual PDDs and FBCs in accordance with normal practise including residents, emergency services, businesses, Centro and the Cycling Forum.

4. Compliance Issues:	
4.1	<p><u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u></p> <p>The Transportation and Highways Capital Programme Strategy (THCFS) performs an essential role in supporting a range of projects and programmes that contribute towards achieving the Council's key policies and priorities as set out in the Council Business Plan and Budget (2015+ and 2016+), West Midlands Strategic Transport Plan, Birmingham Development Plan and the Birmingham Connected transport strategy.</p>
4.2	<p><u>Financial Implications (Will decisions be carried out within existing finance and Resources?)</u></p> <p>ITB capital funding of £30.954m for Birmingham is estimated to be provided to the West Midlands Integrated Transport Authority (ITA) as Section 31 grant from the Department for Transport (DfT) between 2015/16 and 2020/21. The ITA is responsible for acceptance and adherence to conditions associated with the Section 31 grant and for reallocating ITB funding to Metropolitan District Councils and Centro. The allocated ITB values for 2015/16 and 2016/17 are firm, with estimates of allocation being used for 2017/18 to 2020/21. Allocations have been aligned with the Councils proposed CEP for 2016/17 to 2018/19 as set out in the Council Business Plan and Budget 2016+ and detailed in Appendix B to this report.</p>
4.3	<p>Forecasts issued by the Department for Transport (DfT) indicate that this annual allocation will remain constant until 2020/21. Implications associated with the West Midlands Combined Authority (WMCA) on these allocations are not known at this time. Such funding is significantly supplemented by bidding activities to Government and the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) for funding including Local Growth Fund (LGF), Cycle City Ambition Grant (CCAG) and Enterprise Zone (EZ). The total estimated capital cost of all projects and programmes utilising these resources over the 6 year period covered is £253.916m.</p>
4.4	<p>Detailed financial information is provided in Appendix A to this report including a funding strategy to enable the Council to meet significant local funding contribution requirements relating to Government and GBSLEP programmes. This strategy includes the use of net surplus Bus Lane Enforcement income and a requirement to fund an estimated £16.611m from 2020/21 from prudential borrowing, unless other resources can be identified. The prudential borrowing revenue costs will be charged to Transportation and Highways budgets and funded as described in paragraphs 5.13 to 5.15 below.</p>
4.5	<p>New capital transport projects by nature attract additional ongoing costs in respect of maintaining new highway assets. For projects approved in 2015/16 and 2016/17 an approved annual corporate policy contingency allocation is in place to accommodate inventory growth (in 2015/16 this is £0.500m and in 2016/17 £0.750m). All projects and schemes will need to identify revenue maintenance commitments and funding as part of the PDD/FBC approval process.</p>
4.6	<p><u>Legal Implications</u></p> <p>The relevant primary legislation required to implement individual projects contained within the THCFS comprises the Highways Act 1980; Road Traffic Act 1974; Road Traffic Regulation Act 1984; Traffic Management Act 2004; Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004. The Bus Lanes Contraventions Regulations 2005 are also relevant to this report.</p>

	<u>Public Sector Equality Duty (see separate guidance note)</u>
4.7	An initial screening for an Equality Assessment (EA) has been undertaken for the THCFS and has concluded that a full EA is not required at this time, with no adverse impacts on protected groups. This position will be reviewed for each composite project and/or programme at PDD and FBC stage as necessary. The initial screening is provided as Appendix C to this report.

5.	Relevant background/chronology of key events:
5.1	The Transportation and Highways Capital Funding Strategy (THCFS) performs an essential role in supporting a range of projects and programmes that contribute towards achieving the Council's key policies and priorities as set out in the Council Business Plan and Budget (2015+ and 2016+), West Midlands Strategic Transport Plan, Birmingham Development Plan and the Birmingham Connected transport strategy. The THCFS is also relevant to the Future Council programme and proposals contained within the Sustainable Neighbourhoods package.
5.2	In the context of the vision for an inclusive city, the THCFS has a strong focus on supporting the Council's core mission to 'work together to create a fair, prosperous and democratic city'. In addition, the programme seeks to make a significant contribution towards the key priorities of safety, businesses, sustainability, unemployment and engagement/influence by reducing congestion, enabling growth, improving road safety, improving accessibility, improving air quality and encouraging active and sustainable modes of travel.
5.3	The Government allocates capital funding for improving and maintaining the transportation and highway networks through the Local Transport Capital Settlement process. Specific annual allocations are determined through this mechanism, with resources allocated directly to the West Midlands Integrated Transport Authority (WMITA), who determine a reallocation of Integrated Transport Block (ITB) funding to Metropolitan District Councils and Centro.
5.4	Funding for highway maintenance is 'passported' directly to District Councils, with the exception of Birmingham, whose allocation is deemed to be included within funding arrangements for the Highways Maintenance and Management Private Finance Initiative (PFI).
5.5	The WMITA as the responsible body for the funding has allocated ITB funding to Birmingham and the other Metropolitan District Councils to be used for 'small transport improvement projects'. This is in accord with the intention of Government, that the funding be used for such projects to help Local Authorities stimulate local economies by reducing congestion, improving road safety, improving accessibility and supporting the use of active and sustainable modes of travel. Any implications of the WMITA being dissolved and relevant functions becoming part of the West Midlands Combined Authority (WMCA) are not known at the time of this report.
5.6	The THCFS has previously been updated to cover a rolling three year period to accord with the approach adopted by the Council in producing its CEP. In the context of longer term funding programmes such as the Local Growth Fund and the need arising from the Kerslake report for the Council to produce a long term financial strategy this has now been increased to a 6 year rolling period. The THCFS has also been aligned with the Council's proposed CEP for 2016/17 to 2018/19 to ensure consistency with the Business Plan and Budget 2016+.

5.7 A total of £5.159m of new ITB capital funding has been allocated through the above process to Birmingham for integrated transport projects in 2015/16 and 2016/17. Forecasts issued by the DfT indicate that this annual allocation will remain constant until 2020/21. Any impact of the West Midlands Combined Authority (WMCA) on these allocations is again unknown at this time. Such funding is significantly supplemented by bidding activities to Government and the GBSLEP for funding including Local Growth Fund (LGF), Cycle City Ambition Grant (CCAG) and Enterprise Zone (EZ).

5.8 The structure of the THCFS remains as previously agreed by Cabinet and comprises the following programmes: Major Schemes and Local Growth Fund; Economic Growth and Congestion Reduction; Walking, Cycling and Accessibility; Road Safety; Safer Routes to Schools; Network Integrity and Efficiency; and Infrastructure Development. Further programme detail is provided in Appendix A to this report, with a summary of annual ITB allocations shown below:

ITB Programme Allocations	Confirmed		Provisional			
	2015/16 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's	2019/20 £000's	2020/21 £000's
Major Schemes and Local Growth Fund	1270	872	1588	60	2162	2000
Economic Growth	229	1060	360	735	485	785
Walking, Cycling and Local Accessibility	1990	1309	1481	2634	782	644
Road Safety	371	488	300	300	300	300
Safer Routes to Schools	260	300	300	300	300	300
Network Integrity and Efficiency	514	605	605	605	605	605
Infrastructure Development	525	525	525	525	525	525
Total	5159	5159	5159	5159	5159	5159

5.9 The Council has been highly successful in securing external grant resources to support and expand the THCFS during 2014/15 and 2015/16. In the competitive context of external bidding rounds the Council has committed to a significant level of 'local funding contribution', particularly relating to the LGF and Birmingham Cycle Revolution (BCR) programmes approved by Cabinet in March 2015. Given the short timescales and limited scheme detail available at the time of bid submissions (and Project Definition Document stage), detailed work has been undertaken to refine scheme detail and costs during 2015/16. This has been a complex process and has also led to a review of earlier stages of BCR, schemes included within the DfT's previous arrangements for major transport schemes and identification of other funding pressures in the THCFS totalling £16.974m as shown below.

Pressure	£000's
Ashted Circus	717
BCR1	1,945
BCR2	1,360
BCR3	6,525
Chester Road	1,000
Dudley Road – Development	500
Five Ways	175
Heartlands Spine Road	200
Iron Lane	2,692
Spring Hill Circus	175
Tame Valley Viaduct - Development	1,685
Total Pressure	16,974

5.10	<p>In this context a funding strategy has been developed to address both the local contribution requirement and funding required to meet current pressures. In addition, the strategy addresses development costs associated with taking provisionally approved LGF projects to the point of business case submission to DfT (Tame Valley Viaduct and Dudley Road). The funding strategy proposes the following resources to fund the pressure:</p> <p>The pressures associated with BCR 1, BCR 2, BCR3, Heartlands Spine Road and Tame Valley Viaduct Development will be funded as follows:</p> <ul style="list-style-type: none"> • £6.990m to be resourced from unallocated previous years ITB (£2.561m); new ITB (£3.541m) top sliced as agreed by Cabinet previously; Supported Capital Expenditure (£0.688m) residual resources not required for the now complete Hagley Road Bus Showcase project; and Section 106 (£0.2m) windfalls; • £3.000m from the alignment of the A45 cycling elements of BCR3 to be reviewed and aligned with the A45 SPRINT and A45 High Speed Two cycle route proposals; and • £1.725m corporate capital funding to be provided in 2017/18 (£0.865m) and 2018/19 (£0.860m) to support Birmingham Cycle Revolution Phase 3, for subsequent repayment in 2019/20 from new ITB resources. <p>The remaining pressures will be funded as follows:</p> <ul style="list-style-type: none"> • £3.409m additional funding applications for LGF resources to be submitted to GBSLEP (£1.0m Chester Road, £1.692m Iron Lane and £0.717m Ashted Circus); • £1.000m of net surplus Bus Lane Enforcement (BLE) income to be allocated to the Iron Lane project in 2016/17; • £0.500m development costs for Dudley Road (£0.05m 15/16; £0.150m 16/17 and £0.3m 17/18) to be sought from the DfT via the GBSLEP as part of the provisional LGF allocation for this project; and • £0.350m to cover additional costs expected on Spring Hill Circus (£0.175m) and Five Ways (£0.175m) to be sought from GBSLEP Enterprise Zone resources in the form of a programme virement from the Navigation Street Link project, in accordance with EZ governance arrangements.
5.11	<p>It is proposed that this funding strategy is updated regularly and revised as necessary with the relevant portfolio holder, as particular risks will need to be managed around external funding applications and ensuring the alignment of the A45 cycling proposals with the A45 SPRINT and High Speed Two cycle route proposals.</p>
5.12	<p>Expenditure approvals for the above projects and detail around cost variances will be handled at a project level in accordance with the Council's Gateway and Related Financial Approval Framework. Future THCFS reports will also be presented to Cabinet before the start of each financial year to ensure alignment with the Council's CEP.</p>
5.13	<p>The delivery of the Tame Valley Viaduct and Dudley Road major projects are dependent upon approval by the DfT rather than GBSLEP. On the basis of current estimates the Council will be required to provide a local funding contribution of £16.611m towards these projects split £13.097m (Tame Valley Viaduct) and £3.514m (Dudley Road). This contribution is within the range expected by the DfT for major schemes (between 10% and 20% of overall project costs) and will be required in full in 2020/21 and levers a total of £94.450m from the LGF. Given the complexity of the Tame Valley Viaduct project and the inherent risks, dialogue is currently under way with the DfT as to an appropriate delivery mechanism for the scheme.</p>

5.14	<p>To enable funding bids to be submitted to the DfT (which will be subject to specific PDD reports covering all relevant detail) it is now necessary to establish a funding strategy in respect of this significant local contribution requirement. As such, it is proposed to establish the agreed principle of prudential borrowing in 2020/21 for these projects at a total estimated sum of £16.611m. It is further proposed that this sum be repaid over a 10 year period, with annual repayments of £2.074m (interest and principal). Principal repayments will be resourced through a continued top slice of the Council's ITB from 2020/21, while net surplus BLE income will cover interest charges. Where possible, other grants and resources that may become available over this period will be used to either a) reduce the overall quantum of prudential borrowing required; or b) offset the amount of ITB top sliced to enable the delivery of other projects. Capital receipts arising from the disposal of land acquired to deliver the Dudley Road project (funded via LGF) should be recycled into the project in the first instance as an example. Appropriate governance relating to capital receipts would need to be followed.</p>
5.15	<p>As described above, the funding strategy requires the allocation of net surplus BLE income to support the Council's local contribution commitments associated with the LGF programme. This proposal ensures that the Council is in full compliance with the Bus Lanes Contraventions Regulations 2005, which require net surplus income to be reinvested in Transportation and Highways projects. A net surplus of £3.964m is forecast at 31 March 2016, with usage and further detail provided in Appendix A (Annex G) in respect of allocations to the Iron Lane project and prudential borrowing interest payments relating to the Dudley Road and Tame Valley Viaduct major projects.</p>
5.16	<p>In the context of the Council's local contribution commitments it is proposed that any further expansion of the bus lane enforcement operation is self-funding, with upfront capital costs resourced from prudential borrowing to be repaid over no longer than 10 years from subsequent net surplus income (using a cautious estimate of future income).</p>
5.17	<p>As stated above, a full review has been undertaken of the Council's LGF programme, which has included costs, risks, programme and splitting projects between the Transportation and Highways, and Planning and Regeneration capital programmes. The total estimated cost of the Transportation and Highways LGF programme currently stands at £175.356m. A direct comparison with the costs reported to Cabinet in March 2015 is difficult given that projects including the A34 Corridor and Longbridge have now been split between Transportation and Highways, and Planning and Regeneration in terms of composite project components. It is proposed that Cabinet notes the current project costs and profiles provided as Annex H, which supersede those previously reported and align with FBC reports either approved by Cabinet since March 2015 or that are scheduled for approval in the coming months.</p>
5.18	<p>It is further proposed that Cabinet approves an additional bid to GBSLEP for preparatory costs relating to Ashted Circus (£0.173m); Battery Way (£0.08m), Iron lane (£0.09m) and Birmingham's Sustainable Urban Extension (£0.167m). These sums remain within the overall LGF allocations for each project, but will enable the early drawdown of resources to meet the costs of preparatory activities including detailed design and land acquisition. Grant acceptance is recommended to be delegated to the Council's Section 151 Officer.</p>
5.19	<p>There are no direct procurement implications contained within this report, however, it should be noted that schemes will be delivered by the Council and works will be procured through approved frameworks or competitive tenders utilising either in house resources or partner's procurement arrangements, in accordance with Standing Orders and the Procurement Governance Arrangements. Procurement implications will be reported in individual PDD and FBC reports as per normal practise.</p>
5.20	<p>Key risks associated with the THCFS and proposed funding strategy are outlined in Appendix A (Annex F) to this report. It should be noted that a significant shortage of consultant and contractor resource in the marketplace could impact upon programme delivery and potentially increase project costs. This risk will be managed by senior Transportation and Highways officers in conjunction with the relevant portfolio holder.</p>

6. Evaluation of alternative option(s):	
6.1	Alternative options have been explored as part of the PDD provided as Appendix A to this report, with a proposed option selected on the basis of best achieving the Council's key policies and priorities, whilst maximising delivery and minimising risks.

7. Reasons for Decision(s):	
7.1	To approve the Council's Transportation and Highways Capital Funding Strategy for the period 2015/16 to 2020/21 to best achieve the Council's key policies and priorities, whilst maximising delivery, minimising risks and providing alignment with the Council's proposed Capital Expenditure Programme for 2016/17 to 2018/19 as set out in the Business and Plan and Budget 2016+.
7.2	To approve a match funding strategy to enable the Council to meet its local contribution commitments arising from a number of Government and GBSLEP funding rounds including the allocation of net surplus Bus Lane Enforcement income as required by the Bus Lanes Contraventions Regulations 2005.
7.3.	To release development funding to progress projects and programmes included within the Transportation and Highways Capital Programme Strategy.

Signatures	<u>Date</u>
Cllr Tahir Ali – Cabinet Member for Development, Transport and the Economy
Waheed Nazir Strategic Director for Economy

List of Background Documents used to compile this Report:	
1	Council Business Plan and Budget 2015+ and 2016+
2	West Midlands Strategic Transport Plan
3	Birmingham Connected Transport Strategy
4	Birmingham Development Plan
5	Greater Birmingham and Solihull LEP Strategic Economic Plan
6	Integrated Transport Block Allocations 2015 to 2021, Department for Transport, July 2014.
7	Bus Lane Enforcement – Full Business Case – Report of the Strategic Director for Development and Culture - March 2013
8	Transportation and Highways Capital Programme 2014/15 to 2016/17 – Programme Definition Document – Report of the Deputy Chief Executive – November 2014
9	Local Growth Fund Transport and Connectivity Projects – Programme Definition Document – Report of the Deputy Chief Executive – March 2015
10	Birmingham Cycle Revolution Phase 3: Initial Project Definition Document – Report of the Deputy Chief Executive – March 2015

List of Appendices accompanying this Report (if any):	
1.	Programme Definition Document – Appendix A
2.	Alignment of the Transportation and Highways Capital Funding Strategy with the Council's proposed Capital Expenditure Programme for 2016/17 to 2018/19 – Appendix B
3.	Equalities Assessment Initial Screening – Appendix C

Report Version	<u>G</u>	Dated	<u>03/02/2016</u>
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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	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none">(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	<p>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:</p> <ul style="list-style-type: none">(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	<p>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.</p>
4	<p>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:</p> <ul style="list-style-type: none">(a) tackle prejudice, and(b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none">(a) Age(b) Disability(c) gender reassignment(d) pregnancy and maternity(e) Race(f) religion or belief(g) Sex(h) sexual orientation