

Equality Impact Assessment

- **Background**

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

- **Legislation- Equality Duty**

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to

- ✓ Eliminate discrimination, harassment, victimisation.
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

- ✓ Age
- ✓ Disability
- ✓ Gender reassignment
- ✓ Marriage and civil partnership
- ✓ Pregnancy and maternity
- ✓ Race
- ✓ Religion and belief
- ✓ Sex (Gender)
- ✓ Sexual orientation

What is prohibited?

- ✓ Direct Discrimination
- ✓ Indirect Discrimination
- ✓ Harassment
- ✓ Victimisation
- ✓ Discrimination by association
- ✓ Discrimination by perception
- ✓ Pregnancy and maternity discrimination
- ✓ Discrimination arising from disability
- ✓ Failing to make reasonable adjustments

Complete this action plan as you go through the questions

- **Step 1 – Introductory information**

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| Title of the policy | Planning Enforcement Plan |
| Lead officer and others undertaking this assessment | Sarah Hallam |
| Date EIA started | September 2023 |
| Date EIA completed | September 2023 |

- **Step 2 – Overview of policy/function being assessed**

Outline: What is the purpose of this policy? (Specify aims and objectives)

The aim of the Enforcement Plan is to clarify and set out the Council's procedure for investigating alleged breaches of planning control, when the Council will take action, what enforcement powers are available and how the Council will monitor the implementation of planning permissions. The plan sets out a harm prioritisation assessment for enforcement action, which will help inform decisions about when to take enforcement action and provides greater transparency and accountability about how the local planning authority will decide if it is expedient to exercise its discretionary powers.

A plan was first prepared in 2010 and renewed in 2014 and 2018. The council aims to secure service improvements and to regularly monitor and review the service provided to the residents of the Borough. The aims of the enforcement service are to improve transparency and to ensure the council's approach to enforcement reflects the corporate and national planning policies.

The plan identifies local priorities for enforcement action so the Council's enforcement resources are put to best use dealing with breaches of planning control that threaten the local built and natural environment or the amenities of neighbours.

The targets that have been set out in the plan correspond with the Planning & Growth team plan that can be measured to monitor performance. The priorities of the service are also identified in order to manage customer's expectations in respect of the progression of complaints and the degree of importance and harm that will be taken into account.

The plan will ensure that officers, councillors and the general public will be aware of the approach to planning enforcement and provides greater certainty for all parties engaged in the development process.

What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?

The plan is intended to benefit the whole of the borough community including local residents, landowners and businesses.

Which groups have been consulted as part of the creation or review of the policy?

The plan has been circulated to all Borough Members, Parish Councils, the MP and Statutory Consultees and various stakeholders (Canal and River Trust, Environment Agency, Leicestershire Lead Flood Agency, Multi Agency Traveller unit, Planning departments at Rushcliffe, Leicester City, Leicester County, the Conservation Team, Building Control, Environmental Health, Open Spaces and Legal Services at Charnwood Borough Council.)

● **Step 3 – What we already know and where there are gaps**

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

Demographic information (based on Census 2021) is available which provides information on a range of the protected characteristics, in particular, age, disability, race, religion or belief, sex.

What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

The data confirms that Charnwood is a diverse borough with a range of differing needs from individuals and community groups, which will need to be considered and addressed in the implementation of the Enforcement Plan.

● **Step 4 – Do we need to seek the views of others? If so, who?**

Considering the answers given in Step 2, do you need to consult with specific groups to identify needs / issues? If not explain why.

Consultation has taken place allowing input from a wide variety of stakeholder groups and individuals.

● **Step 5 – Assessing the impact**

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| <p>Considering any data/consultation/information and your own knowledge, identify whether the policy has a positive or negative impact on the individuals or community groups who identify with any ‘protected characteristics’ and provide an explanation for your decision. Please refer to the general duties on the front page.</p> | |
| <p>Age</p> | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council’s Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |
| <p>Disability</p> <ul style="list-style-type: none"> ● Physical ● Visual ● Hearing ● learning disabilities ● mental health | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council’s Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |
| <p>Gender Reassignment (Transgender)</p> | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council’s Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |

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| Race | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council's Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |
| Religion or Belief (Includes no belief) | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council's Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |
| Sex (Gender) | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council's Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |
| Sexual Orientation | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the</p> |

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| | <p>decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council's Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |
| <p>Other protected groups</p> <ul style="list-style-type: none"> • Pregnancy & maternity • Marriage & civil partnership | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council's Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |
| <p>Other socially excluded groups</p> <ul style="list-style-type: none"> • Carers • Low literacy • Priority neighbourhoods • Health inequalities • Rural isolation • Asylum seeker and refugee communities | <p>The impact on this group is considered to be neutral. Each case is considered on its own merits and will be assessed having regard to the degree of harm the breach causes to public amenity and whether it is in the public interest to act. Any action taken will be proportionate and the authority will approach the decision-making process with consistency taking into account a full consideration of all of the circumstances. These circumstances will be guided by the Council's Core Strategy, Adopted Supplementary Planning Documents and design statements to establish what the reasonable and adequate requirements are to remedy any breach of planning control.</p> |

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| <p>Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.</p> <ul style="list-style-type: none"> • If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. • Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. |
| <p>There is no adverse impact or discrimination identified in this assessment. The plan emphasise is on seeking to negotiated solutions prior to the need to take formal enforcement action where expedient. The approach set out in the plan is considered appropriate taking into account any barriers and impacts. The planning enforcement service has access to Council services to assist where required when issues of low literacy or where English may not be the first language are identified.</p> |

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| Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page). |
| Planning enforcement is a discretionary service but is required in order to maintain public confidence in the planning system. The purpose of the plan is to set out in an open and transparent way how the Planning Enforcement service will undertake its decision making and how it will best prioritise cases having regard to the resources at its disposal in a fair, consistent, transparent, and reasoned way. In this way it is considered the plan will meet Charnwood Council's responsibilities. |

- **Step 6- Monitoring, evaluation, review**

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| Are there processes in place to review the findings of this Assessment and make appropriate changes? How will you monitor potential barriers and any positive/ negative impact? |
| The plan will be regularly reviewed which will enable the identification and resolution of any unforeseen potential barriers or any adverse impact it could cause. |
| How will the recommendations of this assessment be built into wider planning and review processes? e.g., policy reviews, annual plans and use of performance management systems. |
| The planning enforcement plan and its review is a requirement in the Planning & Growth Service Action Plan. In addition, regular and continuous monitoring of service standards are provided within the Service Action Plan, which aligns with the Corporate Plan. |


- **Step 7- Action Plan**

| Please include any identified concerns/actions/issues in this action plan. The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan | | | |
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| Reference Number | Action | Responsible Officer | Target Date |
| | Review of the implementation and embedding of the Enforcement Plan | Sarah Hallam | 1 st May 2024 |

- **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

| | Who needs to know? | How they will be informed (we have a legal duty to publish EIA's) |
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| Employees | x | Publication on the Council's website |
| Service users | x | |
| Stakeholders | x | |
| To ensure ease of access, what other communication needs/concerns are there? | | None identified |

- **Step 9- Conclusion (to be completed and signed by the Service Head)**

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| Delete as appropriate |
| I agree with this assessment |
| Signed (Service Head):  |
| Date: 8 September 2023 |

Please send completed & signed assessment to **Vicky Brackenbury** for publishing.