

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

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 and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

Step 1 – Introductory information

Title of the policy	Charnwood Borough Council Local Planning Enforcement Plan
Name of lead officer and others undertaking this assessment	Stephen Stray and Helen Robinson
Date EIA started	18/04/2018
Date EIA completed	18/04/18

Step 2 – Overview of policy/function being assessed:

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>The aim of this document 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 document will set out the priorities for enforcement action, which will 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.</p> <p>A policy was first prepared in 2010 and renewed in 2014. 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 enforcement policy and national policies.</p> <p>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.</p> <p>The targets that have been set out in the plan correspond with the Planning & Regeneration 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.</p> <p>A clear 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</p>
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 and Statutory Consultees, local planning agents on the Council's database and all other departments within the 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 2011) is available which provides information on a range

of the protected characteristics, in particular, age, disability, race, religion or belief, sex.

- Race – The White British population accounted for some 85% of the population. The largest ethnic groups are Indian 6% (10,225 people), Other White 2.5% (4,147 people) and Pakistani 1% (2,022 people) (Charnwood Borough Council Demographic Profile document 2013).
- Religion - Some 56% of the population of Charnwood are Christian with some 29% having no religion. Hindus and Muslims are the next largest group with at 5% and 2% respectively. Buddhists, Jews and Sikhs combined make up just over 1% of the Charnwood population.
- Gender – The 2011 census records that the total population is some 166,100 split broadly 49.9% males (82,900) and 50.1% female (83,200) - although there are significantly more males than females within the 15 – 19 and 20 - 24 age brackets.
- Age - the Borough contains a large proportion of 20 to 24 year olds (especially males). The 25 to 29 years age group contains the lowest proportions. 14.9% of the population are aged 14 years or under (census 2011). 16.4% of the population are over 65.
- Disability. In Charnwood, it is estimated that there are 10,540 (6.4%) physically disabled people between the ages of 16-64 with a moderate or serious mobility disability. In Charnwood it is estimated that there are 21,675 adults with mild to moderate hearing loss and 5,100 people with sight impairment. It is estimated that 1 in 5 people will be affected by mental health issues at some time in their life. Anxiety and depression is the most common mental disorder in the UK. In Charnwood this equates to 33,220 people.
- Sexual Orientation. There are no accurate statistics available regarding the profile of the lesbian, gay and bisexual (LGB) population within Charnwood or the UK as a whole. Sexuality is not incorporated into the census or other official statistics; however it is acknowledged that approximately 6-10% of any population will be LBG. In Charnwood this would be between 9,960 and 16,610 people.
- Gender Reassignment. There are no accurate statistics available regarding the profile of the transgendered population within Charnwood or the UK as a whole. Gender identity is not incorporated into the census or other official statistics.
- Marriage and Civil Partnership. Within Charnwood 64,729 people (46.9%) are married and 271 people (0.2%) are in a registered same- sex civil partnership

What does this information / data tell you about diverse groups? 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 Planning Enforcement Plan.

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

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

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

Step 5 – Assessing the impact

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	The impact on this group is considered to be neutral. Each case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action in proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations
Disability (Physical, visual, hearing, learning disabilities, mental health)	The impact on this group is considered to be neutral. Each enforcement case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action in proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations
Gender Reassignment (Transgender)	The impact on this group is considered to be neutral. Each enforcement case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action in proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the

	<p>circumstances is also undertaken. 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 regulations</p>
Race	<p>The impact on this group is considered to be neutral. Each enforcement case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action is proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations</p>
Religion or Belief (Includes no belief)	<p>The impact on this group is considered to be neutral. Each enforcement case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action is proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations</p>
Sex (Gender)	<p>The impact on this group is considered to be neutral. Each enforcement case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action is proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations</p>
Sexual Orientation	<p>The impact on this group is considered to be neutral. The plan sets out how each enforcement case is considered on its own merits and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act,</p>

	that any action in proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	The impact on this group is considered to be neutral. The plan sets out how each enforcement case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action in proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	The impact on this group is considered to be neutral. The Plan sets out how each enforcement case is considered on its own merits, and will be managed having regard to the degree of harm to public amenity caused by any breach, that is in the public interest to act, that any action in proportionate and that the authority approaches decision making with consistency, but that a full consideration of all of the circumstances is also undertaken. 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 regulations

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.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) 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.

Because the plan emphasises an approach of working with those affected and to seek negotiated solutions prior to the need to take formal enforcement action where expedient, the approach set out in the plan is considered appropriate take account of 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 relevant

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 for public confidence in the the planning system to be upheld. 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 and reasoned way. In this way it is considered the plan will meet Charnwood Council's responsibilities.

Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

The action plan commits to regular review which will enable the identification and resolution of any unforeseen potential barriers / adverse impacts.

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 & Regeneration Service Team Plan. In addition, regular and continuous monitoring of service standards are provided within the Service Team Plan. This fits alongside regular review of the service's complaints system.

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

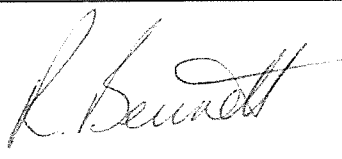
Reference Number	Action	Responsible Officer	Target Date
	Review of the implementation and embedding of the Planning Enforcement Plan	Stephen Stray	31 st May 2019

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

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	x	Provided as a supporting document to the Planning Enforcement Plan
Service users	x	

Partners and stakeholders	x	
Others		
To ensure ease of access, what other communication needs/concerns are there?		

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

Please delete as appropriate
I agree with this assessment / action plan
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:

Signed (Service Head):
Date: 18 April 2018

Please send completed & signed assessment to Suzanne Kinder for publishing.