

APPENDIX 3 – EQUALITY ANALYSIS

Title of policy / procedure / function / project / decision: Local Enforcement Plan for Harborough District Council

Evidence based equality analysis – can include documents, quotes, and web links for photos and videos

The National Planning Policy Framework issued in March 2012 states that “Local planning authorities should consider publishing a Local Enforcement Plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so”.

The adoption of the Local Enforcement Plan (LEP) does not seek to create new ways of working for the Council, but to set down in one place, in a clear and concise way, the practices which the Council’s planning enforcement service currently adopt, which follow national planning guidance to enforcement, and should be read in conjunction with the Council’s General Enforcement Policy September 2015.

Name of lead officer(s): Christine Zacharia – Team Leader Planning Enforcement.

Date assessment completed: 19 May 2017

Equality analysis is a valuable tool to help embed equality into everything we do. While process is important; equality analysis is essentially about outcomes. The lack of evidence of discrimination is not evidence of a lack of discrimination

It is not acceptable to say that a policy is applied uniformly to all groups and is therefore fair and equal. Applying a policy or procedure consistently may result in differential outcomes for different groups.

For each of the areas below, an assessment needs to be made on whether the policy has a **positive, negative or neutral impact** and brief details of why this decision was made and notes of any mitigation should be included. Where the impact is negative, this needs to be given a **high, medium or low assessment**. It is important to rate the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

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Medium impact –some potential impact exists, some mitigating measures are in place, poor evidence			
Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion			
	Neutral	Positive	Negative
Target group / area			
Race and ethnicity	There is no evidence that the LEP will impact on any specific person based on their race or ethnicity. The LEP is easy to read and translation could be made available if required		
Disability (as defined by the Equality Act - a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)	There is no evidence that the LEP will impact on any specific person based on their disability. race or ethnicity.		
Gender	There is no evidence that the LEP will impact on any specific person based on their gender.		
Gender reassignment	There is no evidence that the LEP will impact on any specific person based on this group of individuals.		
Religion and belief	There is no evidence that the LEP will impact on any specific person based on their beliefs or religion.		

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Sexual orientation (including heterosexual, lesbian, gay, bisexual)	There is no evidence that the LEP will impact on any specific person based on their sexual orientation.		
Age (children and young people aged 0 – 24, adults aged 25 – 50, younger older people aged 51 – 75/80; older people 81+. The age categories are for illustration only as overriding consideration should be given to needs)	<p>There is no evidence available that demonstrates an impact on any specific age group, however clearly no planning enforcement action would be taken on any person under the age of 18.</p> <p>If during the course of an enforcement investigation, the Council’s officer is concerned about the health and safety of a child or/and vulnerable adult the officer will follow procedures as set down by the Council and complete a Safeguarding/Welfare Concern Reporting Form as required.</p> <p>Officers will also have due regard to the Statutory Duty Local Authorities have as part of the Counter Terrorism and Security Act 2015 to have “due regard to the need to prevent people from being drawn into terrorism”.</p>		
Rural communities		The LEP will apply to all areas of the District where an alleged	

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		<p>planning breach is reported, or/and where the Council undertake any proactive monitoring/enforcement of planning control. On balance the LEP will have a positive impact on communities.</p>	
Human rights	<p>There is no evidence that the LEP will impact on any specific persons human rights. Any formal action will be taken in accordance with the Council's Enforcement Policy which takes into account the primary human rights legislation.</p>		
<p>Health and wellbeing (consider both the wider determinants of health such as education, housing, employment, environment, crime and transport, as well as the possible impacts on lifestyles and the effect there may be on health and care services)</p>		<p>The LEP sets out in a clear and concise way the planning enforcement procedure for the Council. Whilst the LEP is likely to be an inward facing document to guide procedures under the NPPF, it will be of benefit to Parish Councils, elected Members and the public in general in understanding the planning enforcement process.</p>	

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Evidence :

The draft LEP is attached as Appendix 1

EIA Action Plan

Equality Objective	Action Required	Target	Officer Responsible	Review Date
Consistency in dealing with planning enforcement complaints of alleged breaches of planning control.	To ensure that planning enforcement officers are familiar with the LEP and that they keep abreast of changes in legislation.	Relevant officers (inclusive of staff who deal with planning applications and enquiries) in addition to officers in the planning enforcement service.	Christine Zacharia	Within 1 month of the LEP being adopted.
To circulate to Parishes, elected Members, and upload on the Council's website for public view.	Advise Communications accordingly and consider the need for a Communications Plan.	To ensure public awareness of the LEP.	Christine Zacharia/ HDC Communications	Within 1 month of the order being adopted.