

Equality Analysis Form

By completing this form you will provide evidence of how your service is helping to meet Stroud District Council's General Equality duty:

The Equality Act 2010 states that:

*A public authority 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 2010;

(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.

The protected characteristics are listed in Question 9

Stroud District Equality data can be found at: <https://inform.gloucestershire.gov.uk/equality-and-diversity/>

Please see Appendix 1 for a good example of a completed EIA.

[Guidance available on the HUB](#)

1. Persons responsible for this assessment:

Name(s): Griff Bunce	Telephone: 01453 766321
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Service: Development Management	Date of Assessment: 24 October 2022

2. Name of the policy, service, strategy, procedure or function:

Planning Enforcement Operational Protocol

Is this new or an existing one? **Existing**

3. Briefly describe its aims and objectives

To provide a basic outline as to how the council, in its role as local planning authority, will investigate alleged breaches of planning control and what commitments it makes to keeping complainants informed of progress.

4. Are there external considerations? (Legislation / government directive, etc)

Yes. Planning is a highly regulated statutory function. Decisions on planning matters must be made with regard to the Development Plan; the council has a development plan (currently the 'Stroud District Local Plan November 2015'). Decisions should also reflect national guidance and case law. Decisions can be challenged through Judicial Review or appeal. Complaints about planning services may be referred to the Local Government and Social Care Ombudsman.

Planning enforcement will assess the impacts of unauthorised development against the aims, objectives, and policies of the Stroud District Local Plan November 2015, to ensure that development in the district is in the public interest. A decision will be made to either take formal planning enforcement action, or to take no further action. In reaching this decision, officers will weigh up the various factors concerning the development. Where relevant this will include equalities. The Development Plan tackles inequality at a strategic spatial level and individual decisions on enforcement investigations will give weight to any relevant equality considerations.

5. Who is intended to benefit from it and in what way?

This policy is for the benefit of: anyone who submits a planning enforcement complaint; anyone who a planning enforcement complaint is made about; planning agents and officers; and, town and parish councils.

6. What outcomes are expected?

Service users will understand how decisions are made and the time frame for making decisions. Commitment to communicating with our service users will reduce demand on officers for ad-hoc updates.

7. What evidence has been used for this assessment?: (eg Research, previous consultations, Inform (MAIDEN); Google assessments carried out by other Authorities)

In preparing the Local Planning Enforcement Plan, similar documents published by other local planning authorities were reviewed. This informed the drafting of the proposed plan.

8. Has any consultation been carried out?

Yes

Details of consultation

The first draft of the plan was presented to the Development Management Advisory Panel on 5 May 2022

The plan was subject to public consultation in June and July 2022. This consisted of: link to consultation on website; email to all town and parish councils and meetings; publication in e-

news; publication in Members' weekly bulletin. Responses to the public consultation were recorded via online survey.

A second draft of the plan was presented to the Development Management Advisory Panel on 5 October 2022

If NO please outline any planned activities

N/A

9. Could a particular group be affected differently in either a negative or positive way?

(Negative – it could disadvantage and therefore potentially not meet the General Equality duty;

Positive – it could benefit and help meet the General Equality duty;

Neutral – neither positive nor negative impact / Not sure)

Protected Group	Type of impact, reason and any evidence (from Q7 & 8)
Age	<p>When an enforcement investigation is affected by the protected characteristic 'age' officers will be mindful of:</p> <ul style="list-style-type: none"> • The presence of minors and ensure suitable adult supervision during site visits • Decline in health and wellbeing from age, including but not limited to sensory impairment, mobility issues, loneliness • Readiness and ease of using technology (such as the internet or smart phones) • Daily routines, sleeping patterns, personal care <p>Reasonable adjustments to eliminate inequality and promote opportunity will be made on a case-by-case basis to best meet the service user's needs. Examples of adjustments may include:</p> <ul style="list-style-type: none"> • Using powers to enter land sparingly, having given notice of intent to visit in advance and through the most appropriate means (which may not always be in writing alone) • Be aware of any sensory impairments or mobility issue • Provide other means of contact rather than email, phone number or postal address • Use cross-council relationships to raise issues of welfare and signpost to well-being services • Providing 'large text' versions of relevant documents
Disability	<p>When an enforcement investigation is affected by the protected characteristic 'disability' officers will be mindful of:</p> <ul style="list-style-type: none"> • The presence of and need for personal assistants • Using the most appropriate means of communication and language • Physical/ mental limitations • Readiness and abilities to use technology • Daily routines, personal care

	<p>Reasonable adjustments to eliminate inequality and promote opportunity will be made on a case-by-case basis to best meet the service user's needs. Examples of adjustments may include:</p> <ul style="list-style-type: none"> • Be aware of any sensory impairments, mobility issue, or language barriers • Be aware that the service user may need to be accompanied • Provide other means of contact such email, phone number or postal address, to best meet the service user's needs • Limit the need for a service user to visit unfamiliar locations or locations without adequate facilities • Use cross-council relationships to raise issues of welfare and signpost to well-being services
Gender Re-assignment	<p>It is considered unlikely that this policy would have either a positive or negative impact on the protected characteristic of gender reassignment.</p>
Pregnancy & Maternity	<p>When an enforcement investigation is affected by the protected characteristic 'pregnancy and maternity' officers will be mindful of:</p> <ul style="list-style-type: none"> • The impacts of stress • Daily routines, sleeping patterns, personal care • The presence of minors and ensure suitable adult supervision during site visits <p>Reasonable adjustments to eliminate inequality and promote opportunity will be made on a case-by-case basis to best meet the service user's needs. Examples of adjustments may include:</p> <ul style="list-style-type: none"> • Allowing, where possible, additional time to respond to information request • Consider the impact of formal enforcement action on pregnancy and maternity • Reducing where possible any related stress on the service user
Race	<p>When an enforcement investigation is affected by the protected characteristic 'race' officers will be mindful of:</p> <ul style="list-style-type: none"> • Difference in culture and tradition • Potential language barriers • Specific planning policy or guidance, for example for gypsies and travellers <p>Reasonable adjustments to eliminate inequality and promote opportunity will be made on a case-by-case basis to best meet the service user's needs. Examples of adjustments may include:</p> <ul style="list-style-type: none"> • Translation • Using non-written means of communication • Applying weight where guided by planning law and guidance
Religion – Belief	<p>When an enforcement investigation is affected by the protected characteristic 'religious belief' officers will be mindful of:</p> <ul style="list-style-type: none"> • Festivals and traditions • Fasting, pilgrimage, and holy dates • Daily routines

	Reasonable adjustments to eliminate inequality and promote opportunity will be made on a case-by-case basis to best meet the service user's needs. Examples of adjustments may include: <ul style="list-style-type: none"> • Timing of communications, visits, and action
Sex	It is considered unlikely that this policy would have either a positive or negative impact on the protected characteristic of sex. However, officers will be mindful of the protected characteristic of 'sex' when: <ul style="list-style-type: none"> • Lone females • Mothers with young children • Symptoms of menopause • Signs of domestic abuse
Sexual Orientation	It is considered unlikely that this policy would have either a positive or negative impact on the protected characteristic of sexual orientation.
Marriage & Civil Partnerships (part (a) of duty only)	It is considered unlikely that this policy would have either a positive or negative impact on the protected characteristic of marriage and civil partnership.
Rural considerations: le Access to services; transport; education; employment; broadband;	It is considered unlikely that this policy would have either a positive or negative impact on rural considerations. The founding principle of Town and Country Planning is to manage development in the public interest; this would include development in rural areas.

10. If you have identified a negative impact in question 9, what actions have you undertaken or do you plan to undertake to lessen or negate this impact?

Please transfer any actions to your Service Action plan on Excelsis.

Action(s):	Lead officer	Resource	Timescale

Declaration

We are satisfied that an Impact Assessment has been carried out on this policy and procedure and where a negative impact has been identified, actions have been developed to lessen or negate this impact.

We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment

Completed by: Griff Bunce	Date: 26/10/22
Role: Development Team Manager	
Countersigned by Head of Service/Director:	Date: 26/10/22

	
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Date for Review: Please forward an electronic copy to eka.nowakowska@stroud.gov.uk