



**Approach to equality –
Equality analysis Edward III’s
Rotherhithe Conservation Area**

June 2012

Guidance notes

Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of your policies and practices on people with different protected characteristics is an important part of complying with the general equality duty.

Under the PSED the Council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the EHRC recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in equality impact statements in Council reports. Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider

any implications for equality and diversity It be referenced in community impact statements in Council reports.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should be written in a clear and transparent way using plain English. It may be published under the Council's publishing of equality information, or if part of a business plan, requested by the public under the Council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if the affects you expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Equality Analysis will not need to go to an Equality and Diversity Panel for feedback, as under the old Equalities and Human Rights Scheme. Community engagement is recommended as part of the development of equality analysis and the Council's Community Engagement Division and FEHRS can assist with this (see section below on community engagement). www.southwarkadvice.org.uk

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Edward III's Rotherhithe Conservation Area
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Equality analysis author	Tracy Chapman (Senior Design and Conservation Officer)		
Strategic Director:	Eleanor Kelly		
Department	DCE	Division	Planning & Transport
Period analysis undertaken	June 2012		
Date of review (if applicable)	N/A		
Sign-off		Position	Date

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

The proposed extension to the existing Edward III's Rotherhithe Conservation Area and revisions to the adopted conservation area appraisal. The extension to the Edward III's Rotherhithe Conservation Area will designate part of Bermondsey under the powers of the Planning (Listed Buildings and Conservation Areas) Act 1990 as an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. The conservation area extension includes: Cherry Gardens to the riverfront, Nos. 1-10 Bermondsey Wall West. The extended conservation area will also include two Grade II listed buildings: the former Thames Water Authority Office on Farncombe Street and former Corbett's Wharf on Bermondsey Wall West.

The extension to the Edward III's Rotherhithe Conservation Area will be assessed in accordance with statutory regulations and in close consultation with the local community and English Heritage. The conservation area appraisals that will accompany a designation must be in general conformity with national and regional guidance and policy and contribute towards meeting local needs. The council's policies and strategies must also be evidenced to ensure that they are robust, meet local needs and can be justified.

This is a new policy. The extension to the existing Edward III's Rotherhithe Conservation Area; when it is designated, together with the published conservation area appraisal will form part of the council's Local Development Framework, which contains all of the council's planning policies and will be used to guide the design and appearance of development in the designated area and in the determination of planning applications.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	Communities Law and Governance
Key stakeholders were/are involved in this policy/decision/business plan	<p>The Planning (Listed Buildings and Conservation Areas) Act 1990 does not oblige the council to consult on its decision to designate a conservation area or extension to an existing one however; the council will consult with the occupants of properties in the designated area in accordance the council's adopted Statement of Community Involvement (SCI). The SCI sets out how and when Southwark Council will involve the community in the preparation of planning documents and on applications for planning permission in the borough.</p> <p>National policy states that if the evidence suggests that the heritage asset may have a special significance to a particular community that may not be fully understood from the usual process of consultation and assessment, then the local planning authority should take reasonable steps to seek the views of that community.</p>

Section 4: Pre-implementation equality analysis

This section considers the potential impact (positive and negative) of proposals on the key 'protected characteristics' in the Equality Act 2010 and Human Rights, the equality information on which above analysis is based and mitigating actions to be taken.

<p>Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p>
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>Certain groups may not be able to access information and consultation as easily as others or understand the relevance of the extension to the Edward III's Rotherhithe Conservation Area to them. Some people may not be aware how to express their views or how these will feed into the process.</p>
<p>Equality information on which above analysis is based</p>
<p>Responses received previously on public consultations for: new conservation areas, extensions to existing ones and conservation area appraisal documents.</p>
<p>Mitigating actions to be taken</p>
<p>The conservation area appraisal and proposed boundary map will be available on the Council's website and in local libraries (Canada Water and Blue Anchor).</p> <p>A guidance note will also accompany the consultation letters explaining:</p> <ul style="list-style-type: none"> • what is a conservation area • what are the effects of designating a conservation area • planning controls in conservation areas • Conservation Area Consent • shopfronts in conservation areas • trees in conservation areas

<p>Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</p>
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Gender reassignment - The process of transitioning from one gender to another.
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Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.**

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Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

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Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

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Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

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Sex - A man or a woman.

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Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

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Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom

of assembly, Marriage and family, Freedom from discrimination and the First Protocol
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Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key areas identified as requiring more detailed analysis or key mitigating actions.			
Number	Description of Issue	Action	Timeframe
1	Understanding what is meant by a conservation area and implications of owning a property in a conservation area	Guidance leaflet to accompany consultations	N/A - a guidance leaflet is already available from previous comparable consultations
2			
3			
4			
5			
6			
7			

5. Equality objectives (for business plans)					
Based on the initial analysis above, please detail any equality objectives that you will set for your department/service.					
			Targets		
Objective	Lead officer	Current performance (baseline)	2012/13	2013/14	2014/15
N/A	N/A	N/A	N/A	N/A	N/A