

APPENDIX 5

Equality impact assessment (EqIA) – Southwark Enforcement Plan, September 2016

All public authorities are required by the Equalities Act 2010 to specifically consider the likely impact of their policy, procedure or practice on certain groups in the society. These groups (sometimes referred to as equality stands) are defined by the 2010 Act as:

- age
- disability
- gender (sex)
- race
- sexual orientation
- religion or belief
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity.

It is our responsibility to ensure that our policies, procedures and service delivery do not discriminate, including indirectly, on any sector of society. Council policies, procedures and service delivery may have differential impacts on certain groups, and these will be highlighted in the EqIA screening. Likely differential impacts must be highlighted, and described, as some may be positive. Where likely significant adverse differential impacts are identified, consideration should be given to opportunities to reduce or mitigate this through a full equalities impact assessment.

Section; Planning Enforcement, Planning Division

Officer responsible for

the screening/scoping: Alison Brittain

Name of Practice to be assessed: Enforcement Plan

Date of Assessment: September 2016

Is this a proposed new or existing policy/procedure/practice? New document

1. Briefly describe the aims, objectives and purpose of the policy/procedure/practice ?	An enforcement plan is a key requirement of the NPPF and the aim is to set out the vision for the Council's planning enforcement service. It will provide a priority list for investigations and outline standard practices for investigating breaches of planning control.
2. Are there any associated or specific objectives of the policy/procedure/practice ? Please explain.	No – planning enforcement is a statutory function, with action taken based on the provisions of the Town and Country Planning Act (as amended). This plan will set out how the Council will apply the statutory requirements at a local level.
3. Who is intended to benefit from this policy and in what way?	The enforcement plan will provide a robust framework for officers investigating alleged breaches of planning control providing clear guidelines. Furthermore this document will provide Councillors and members of the public with a clear and transparent policy basis for understanding the

	enforcement function.
4. What outcomes are wanted from this policy/procedures/practice?	The operation of an effective, efficient and proportionate planning enforcement team.
5. What factors/forces could contribute/detract from the outcomes?	Investigations are dependent on enquiries from the public or Councillors, therefore the timing of these contacts can influence when an investigation can begin.
6. Who are the main stakeholders in relation to the policy?	Developers and their representatives (planning agents) with an interest in development in Southwark, the Council itself, all those living in the borough.
7. Who implements the policy, and who is responsible for the policy?	Southwark Council is statutorily responsible for providing a planning enforcement service. Implementation is through the Council's Planning Service and by others making planning decisions (appeal Inspectors, the Secretary of State) and those carrying out development within the borough.
8. Are there concerns that the policy could have a differential impact on racial groups?	<p>People from different cultures may be used to less regulation and could be unaware of the need to apply for planning permission before undertaking development.</p> <p>Notwithstanding the above, the planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those of different racial groups.</p>
9. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development.
10. Are there concerns that the policy could have a differential impact due to gender?	The planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those of different gender.
11. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development.
12. Are there concerns that the policy could have	The planning enforcement function is a statutory function derived from the Town and Country Planning Act (as

a differential impact due to disability?	amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those suffering from disabilities.
13. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development.
14. Are there concerns that the policy could have a differential impact due to sexual orientation?	The planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those of different sexual orientations.
15. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development.
16. Are there concerns that the policy could have a differential impact due to their age?	The planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those of different ages.
17. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development .
18. Are there concerns that the policy could have a differential impact due to their religious belief?	<p>Finding appropriate accommodation that can be used for places of worship has led to some religious communities to occupy premises that do not have the appropriate planning permission.</p> <p>Notwithstanding the above, the planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those of different religious beliefs.</p>
19. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development.

20. Are there concerns that the policy could have a differential impact due to them having dependents/caring responsibilities?	The planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those with caring responsibilities or with dependents.
21. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development.
22. Are there concerns that the policy could have a differential impact due to them have an offending past?	The planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for those of ex-offenders.
23. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development .
24. Are there concerns that the policy could have a differential impact due to them being Transgender or transsexual?	The planning enforcement function is a statutory function derived from the Town and Country Planning Act (as amended). This identifies that planning decisions must be made in accordance with the development plan and other material considerations of the development itself and does not have differential implications for these groups.
25. What existing evidence (either presumed or otherwise) do you have for this?	Investigations are undertaken based on reports of alleged breaches of planning control, in respect of the development itself, not who is responsible for carrying out the development .
26. Could the differential impacts identified in 8-16 amount to there being the potential for adverse impact in this policy/procedure/practice ?	No. The enforcement plan applies to the nature of the breach of control rather than the personal characteristics of the developer.
27. Can this adverse impact be justified on the grounds of promoting	No adverse impact identified.

equality of opportunity for one group? Or any other reason?	
28. Is there any concern that there are unmet needs in relation to any of the above groups?	No unmet needs identified.
29. Does differential impact or unmet need cut across the equality strands (e.g. elder BME groups)?	No differential impact identified.
30. If yes, should the full EIA be conducted jointly with another service area/contractor/partner/agency?	As no adverse impacts have been identified, a full equalities impact assessment is not required.
31. Is there a missed opportunity to improve your business in relation to any of the policies, procedures or practices to promote racial, gender, disability, age, sexual orientation, religion or belief equality?	Not applicable.
32. Should the policy proceed to a full equality impact assessment?	No