

**Section 1: Equality analysis details**

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<b>Proposed policy/decision/business plan to which this equality analysis relates</b>	Draft Section 106 Planning Obligations/Community Infrastructure Levy Supplementary Planning Document
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<b>Period analysis undertaken</b>	Stage 1 November 2013 and Stage 2 March 2015				
<b>Date of review (if applicable)</b>					
<b>Sign-off</b>	Tim Cutts	<b>Position</b>	Planning Policy Team Leader	<b>Date</b>	March 2015

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

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### 1.1 Brief description of policy/decision/business plan

The council is required by UK law to pay due regard to advancing equality, fostering good relations and eliminating discrimination for people sharing certain protected characteristics, as set out in the Public Sector Equalities Duty (2011) (under section 149 of the Equalities Act 2010). The council carries out Equalities Analysis of its plans, decisions and programmes to consider the potential impact (positive and negative) of proposals on the key 'protected characteristics' in the Equality Act 2010 and on Human Rights.

The general equality duty does not specify how public authorities should analyse the effect of their existing and new policies and practices on equality, but doing so is an important part of complying with the general equality duty.

'Equality Analysis' is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community.

This equalities analysis looks at how the objectives of the Section 106 Planning Obligations/Community Infrastructure Levy Supplementary Planning Document ("SPD") relate to equality and which aspects may have particular importance to equality. It describes the purpose of the guidance, in what context will it operate, who is it intended to benefit, what results are intended and why it is needed.

The SPD is a key document within Southwark's Local Plan. This is a group of local planning documents which set out policies for the future development of the borough and to manage change. Together these local plans work alongside the Mayor's London Plan policies and the National Planning Policy Framework (NPPF) and associated guidance, National Planning Practice Guidance (NPPG).

The purpose of the SPD is to provide added details and explanation of the council's adopted policies on section 106 planning obligations and of the procedure for agreeing planning obligations. It also provides information on the relationship between section 106 planning obligations and the Community Infrastructure Levy (CIL).

Planning obligations are used as part of the planning application process to address specific planning issues and impacts arising from a development proposal. In dealing with planning applications, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations. They are normally agreed between the Council, land owners and developers in a legal agreement called a Section 106 agreement.

The Community Infrastructure levy (CIL) was introduced under the Planning Act 2008 and is a new tariff system that enables local authorities to make a charge on most forms of new development to fund infrastructure needed to support development. Unlike funding from Section 106 agreements, CIL funds can be spent on a wide range of infrastructure to support development without the need for a direct geographical or

functional relationship with the development. The intention is that CIL will be a simpler, fairer, more transparent and more predictable system. The overall purpose of CIL is to ensure that costs incurred in providing infrastructure to support the development of an area can be funded (wholly or partly) by owners or developers of land.

Under the CIL Regulations 2010 (as amended), the amount of CIL to be paid has to be set out in a formal document called a Charging Schedule. The Charging Schedule must set out the level of charge that is to be levied for different types of development, in different parts of the Local Plan area. It is charged per square metre on net additional floorspace of development and the charging schedule must set out how to calculate the level of CIL required for each scheme. The CIL Charging Schedule will in part replace the current system of securing developer obligations through Section 106 agreements for **strategic** infrastructure.

The SPD does **not** create new policy, but rather will be used to implement a number of existing policies and guidance set out in NPPF, NPPG, the draft CIL Charging Schedule (2015), Core Strategy (2011), Canada Water Area Action Plan (2012), Peckham and Nunhead Area Action Plan (2014), Aylesbury Area Action Plan (2009) and Affordable Housing SPD (2008) and draft Affordable Housing SPD (2011).

Guidance on how Southwark will negotiate the most common section 106 planning obligations is set out in the SPD. This includes the following areas:

- Affordable housing provision
- Archaeology: Works and payments towards the Southwark's archaeology service
- Carbon offset: Green fund
- Children's play space
- Employment and Enterprise: Jobs during construction and final development
- Employment and enterprise: General and end-user phase: skills, training and employment
- Employment and enterprise: Loss of employment floorspace
- Employment and enterprise: Other obligations
- Outdoor amenity space
- Public Realm measures
- Student Housing: University nomination schemes
- Transport measures: Site specific
- Wheelchair accessible housing: Offset fund

The SPD provides detailed guidance on the use of section 106 planning obligations alongside the community infrastructure levy. When adopted, it will replace Southwark's adopted Section 106 Planning Obligations SPD (2007).

The Planning department will be responsible for implementing the CIL charging process and securing the planning obligations of the SPD. The Planning Services officers will consult with internal and external consultees. The outcome is for the objectives of the London Plan and Southwark's Local Plan to be delivered – in particular for new development to be supported by the timely delivery of the required infrastructure to provide balanced and more sustainable communities.

This updated equalities analysis supports the report to Cabinet on 17 March 2015 which requests Cabinet to resolve to adopt the SPD (Appendix G) on 1 April 2015, subject to approval of the Southwark CIL Charging Schedule by Council Assembly on 25 March 2015.

**Section 3: Overview of service users and key stakeholders consulted**

<b>2. Service users and stakeholders</b>	
<b>Key users of the department or service</b>	<p>Planning is a statutory function carried out by local authorities. The development of planning policies and the impacts of planning decisions can affect everyone with an interest in land in the borough. The document will be of most relevance to the following stakeholders:</p> <ul style="list-style-type: none"> <li>• Council departments assessing a planning application or negotiating, enforcing or implementing planning obligations; and</li> <li>• Developers (and their clients), landowners and those acting on their behalf (e.g. architects and planning agents) and members of the public who will be submitting or commenting on a planning application for a site in Southwark;</li> <li>• Current and future residents who will benefit from the new provision of and improvements to infrastructure and other facilities that are funded by developer contributions or provided directly by developers, as a result of successful Section 106 negotiations and CIL.</li> </ul> <p>The council consulted on the draft SPD and its stage 1 Equality Analysis between December 2013 and February 2014. Seventeen representations were received and these responses have been considered with a number of amendments been made in the final SPD in the light of these responses.</p> <p>The council also has consulted on a draft CIL Charging Schedule over the same time period, setting out proposed CIL rates. This has been examined at a public hearing by an independent Inspector in July 2014. The Inspector has published his final report (March 2015) recommending adoption of the borough's CIL subject to modifications. A separate equalities analysis has been prepared for CIL</p> <p>The Council's Statement of Community Involvement (SCI) explains how the local community can get involved in the preparation of planning policy documents and sets out methods of consultation for target groups.</p>
<b>Key stakeholders are involved in this policy guidance</b>	<p>The key stakeholders involved in the preparation of the SPD include:</p> <p>Cabinet Member for Regeneration, Transport and Planning, Southwark Councillors, Council services including Planning and Transport, Corporate Strategy Property, Arts and Culture, Highways, Regeneration, Parks, Environment, Housing, Corporate Finance and external stakeholders including Southwark &amp; Lambeth NHS. The Planning Policy team have received corporate equalities training and equalities analysis report writing</p>

	training. A number of the service deliverers within the Council will also have received corporate equalities training.
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**Section 4: Pre-implementation updated equality analysis**

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This section considers the potential impact (positive and negative) of the proposed guidance on the different groups protected from discrimination by the Equality Act 2010 and Human Rights Act. There are two reasons for this. First, to consider if there are any unintended consequences for some groups, and second, to consider if the policy will be fully effective for all target groups. The actual and potential effect on equality of all of the policy guidance, and appropriate mitigating measures, are considered to ensure that inequalities between different equality groups have been identified and do not continue or widen. It involves using equality information, and the results of engagement with protected groups and others, to understand the actual effect or the potential effect of the policy guidance.

Equality analysis starts prior to policy development or at the early stages of a review. It is not a one-off exercise, it is on-going and cyclical and it enables equality considerations to be taken into account before a decision is made. This equality analysis is not simply about identifying and removing negative effects or discrimination, but it is also an opportunity to identify ways to advance equality of opportunity and to foster good relations.

Equality information

Before assessing the impact of the SPD on key protected characteristics, it is important to understand the demographic context of the borough.

**General**

- The Census 2011 confirms that there are 288,283 Southwark residents. This is an 18% increase from the 2001 Census.
- In 2010 Southwark was ranked the 41st most deprived Local Authority in England and the 12th most deprived in London. This is a relative improvement from previous rankings in 2004 and 2007.
- Southwark has a high population density of 105.5 persons per hectare, compared to 54 persons per hectare across London as a whole.
- Job density is also very high, given that Southwark is a central London borough. It is approximately 1.16. This is the number of jobs per resident of working age. For example, a job density of 1.0 would mean that there is one job for every resident of working age.
- The largest demand for housing in Southwark is for family and affordable housing, particularly social rented housing. In 2013, average house price in Southwark was 12.8 times the average full-time worker’s earnings. This is higher than the London average of 11.8 times earnings.

**Age**

- The proportion of the population aged between 16-64 years is 73.6% making it the largest age group in Southwark at 212,176 people. This is 4.9% higher than the London region as a whole, and 8.8% higher than the UK as a whole. Southwark

has a smaller proportion of people in the 0-15 (53,620 people) and 65+ (at 22,486 people) age groups than the London region and the UK as a whole. Between mid-2003 to mid-2012, the proportion of people in the 65+ age group decreased by 9.6%. This is the only age group to see a decrease. The 0-15 age group saw a 7.7% increase and 16-64 age group saw a 20.6% increase. The average age of a Southwark resident is 33.8 years.

- Southwark has fewer numbers of older people than the rest of London, although this is predicted to rise – with an extra 900 people aged 85 or over expected by 2020, which is an increase of nearly 30% on current levels. The number of people with disabilities and learning difficulties is also rising steadily, with those under 65 years predicted to increase to around 20,000 by 2025.
- Major health indicators such as mortality and life expectancy have improved (life expectancy at birth for males is 77.8 years compared to 78.6 years in London and 82.9 years for females compared to 83.1 years in London, January 2007-December 2009, ONS), although significant inequalities are evident across the population. The difference in life expectancy, for example, between the worst off and best off is 9.5 years for men and 6.9 years for women.
- Nearly two thirds (74%) of people in Southwark are aged 16-64 i.e. the age where they can be economically active. Of this percentage, 78% of 16-64 year olds are economically active. Of this 78%, 8% are unemployed, which is 1% higher than the London average. 71% of Southwark's working age population are employed, and of this 11% were self employed.
- There are significant disparities in educational attainment and skills in Southwark. In 2012, 9.4% of people aged between 16 and 64 had no qualifications. This was a higher percentage than in London as a whole. However, the trend was downwards and Southwark's percentage had dropped 1.4% since 2009.
- In 2012, the proportion of 16 to 18 year-olds NEET (not in education, employment or training) in Southwark was 7.7% compared to 4.7% in London.

### **Disability**

- In total, 13% of 16-64 year olds are claiming key out-of-work benefits. As well as JSA, this includes disabled, lone parents, carers and the bereaved. JSA and Incapacity Benefit make up the largest share of out of work benefits claimed in Southwark, at 6%.
- Over the period 2012-2032 the number of working age people with serious physical disability is expected to increase by 23% from 3,600 to almost 4,450. Current unmet need for wheelchair housing stands at close to 550 households.
- There is a greater concentration of mental health need in the centre of the borough than in the north or the south, corresponding both to higher levels of deprivation, and lower levels of employment.
- Southwark has a below average supply of specialised elderly accommodation (compared with the average for South East London). 33% of elderly households in the borough are owner-occupied while 61% are in the social rented sector. Southwark has fewer elderly people with mobility issues than other South East London boroughs (with around 4,200) however this group is expected to increase by 17% between 2012 and 2020.
- A steady increase in the number of households with physical disabilities is forecast between now and 2020 in the South East London sub-region comprising the boroughs of Bexley, Bromley, Greenwich, Lewisham and Southwark, both of older people and working age households. Currently it is estimated that around 2,500 households have unmet wheelchair accessible accommodation requirements and some 32% of households currently needing wheelchair accommodation require 3 bed or larger homes (SE London Strategic Housing Market Assessment 2014)

### **Gender (and Gender reassignment)**

- 50.5% of Southwark's population is female.
- The comparison of employment statistics between genders reveals that the proportion of females in employment is consistently less than males, either as employees or self employed. For example, 75% of economically active males in Southwark are in employment, compared with 66% of females. In 2012, of Income Support claimants in Southwark, 31% were male and 69% female.

### **Marriage and Civil partnership**

- In terms of marital and civil partnership status, Southwark has a relatively high percentage of single persons (54.7%) compared to London 44.1% (16 years and over). There are 28.5% married couples and 0.9% are in a registered same sex civil partnership.

### **Religion and Belief**

- The majority of residents in Southwark who stated their religion in the 2011 Census were of Christian faith (52.5%) with the second highest category being 'No religion' (26.7%). Muslim faith was the third highest (8.5%). By comparison 48% were of Christian faith in London and 59% nationally, with 21% of London residents expressing no religion and 24.7% nationally.

### **Race**

- Southwark is a very diverse borough with over 45% of residents coming from Black and Ethnic Minority (BaME) communities according to the 2011 Census.
- Compared to the population as a whole, a very high proportion of Black households (70%) are housed in the social/affordable rented sector and a small proportion of this group (17%) is in owner-occupation. A greater proportion of White households in Southwark are in the 64+ age group compared to the other ethnic groups in the borough.
- 36.5% of Southwark's residents were born outside the UK. This is 2.9% lower than inner London as a whole, and 0.7% higher than London as a whole. The largest migrant population in Southwark is Nigerian, representing 4.7% of the population. The second largest is immigrant population is Jamaican, at 2.0%. Third are Irish, at 1.7%.

### **Pregnancy and maternity**

- In 2012 there was 5,030 live births, compared to
- In 2012/13, 0.6% of women giving birth in this area were aged under 18 years. This is similar to the regional average.
- 89.6% of mothers in this area initiate breastfeeding when their baby is born. This area has a similar percentage of babies who have ever been breastfed compared with the European average of 89.1%

### **Sexual Orientation (local data not available)**

- In 2013, 1.6% of UK adults identified their sexual identity as gay, lesbian or bisexual. London had the highest percentage of adults identifying themselves as gay, lesbian or bisexual at 3.2%. Twice as many males (1.6%) as females (0.8%) were likely to state their sexual identity as gay or lesbian. (ONS Integrated household survey)

The primary aim of the SPD is to support the delivery of sufficient and accessible infrastructure and other necessary provisions to accommodate development sustainably in a very densely populated and diverse borough. High population and employment densities

place pressure on infrastructure and other public facilities, which will increase with each new development and population and economic growth.

The SPD also aims to help deliver the policies and objectives of the Core Strategy (2011) and other local plans, and to promote development that is sustainable in economic, social and environmental terms.

The SPD itself does not have a direct impact on any groups with protected characteristics. By providing guidance about contributions towards and direct provision of infrastructure, the SPD aims to ensure that development is supported by new and improved infrastructure facilities that are designed to be inclusive – that is, sufficiently flexible and adaptable to meet the current needs and future demands of the borough’s diverse residents, visitors and workers.

**Equalities Analysis**

**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).

**Potential impacts (positive and negative) of proposed policy guidance**

Positive impact

With unemployment levels and people who are not in education or training in the borough above the national and London averages, particularly amongst the 16-24 year olds, the SPD addresses age issues by securing contributions towards training and employment opportunities, particularly important in the borough. This works alongside other Local Plan policies and the Economic Well-Being Strategy which support the employment and enterprise role of the borough and safeguarding land for particular employment uses (office and industrial).

Additionally, obligations secured for on-site children’s play space and amenity space address the health and well-being across all age groups.

Contributions from developments for transport and public realm measures through securing site specific measures will help to improve the access to a new development, by delivering, for example new pedestrian crossings, cycleways, and car clubs, improved street lighting, tree planting, green chains, urban parks, surrounding footways and streetscape, community safety initiatives, public art, landscaping, wildlife habitats. These measures will positively benefit all age groups.

Securing affordable housing provision will continue to provide accommodation to those who are most in need, and this measure will positively benefit all age groups.

Local CIL funding will be spent according to projects identified within the Community Infrastructure Project List (CIPL) or where relevant, on projects listed in an adopted neighbourhood plan. CIPL projects will be publically accessible physical infrastructure improvements in the local area which support growth and benefit all age groups.

**Equality information on which above analysis is based**



This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the SPD will largely give rise to a positive impact.

**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.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impact

The SPD is seeking to improve the quality of the built environment for all, by securing contributions towards the public realm from new development that will address permeability and continuity of movement, improve links between communities and improve access and connectivity within places. It will be a requirement that this is DDA compliant and delivered to highest standards for all in the community.

In addition, the SPD will secure contributions towards site specific highway works and transport and public realm measures to help improve the accessibility to a new development. Travel plans will also be required for all applications to demonstrate how impacts will be overcome.

There is also a requirement for a financial contribution to be made where development schemes cannot meet the 10% on-site wheelchair accessible housing policy requirement. A commuted sum will be sought, which will be spent in partnership with Southwark's Adult Social Care team to fund projects for existing housing adaptations for people being housed in the community. This will benefit those with a need for assisted living and the progressively increasing proportion of people affected by age related disability.

In addition, securing additional affordable housing will provide an opportunity to provide more homes which can be made accessible and adapted for disabled people.

**Equality information on which above analysis is based**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the SPD will largely give rise to positive impacts.

**Gender reassignment** - The process of transitioning from one gender to another.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impact

All types of planning obligations are likely to positively affect those with a different gender than assigned at birth. The adoption of the SPD and the implementation of the planning obligations will help to encourage and maintain balanced and mixed communities with sufficient infrastructure to support the needs of all groups in society. Over the long term it should also help to improve community safety and community cohesion and encourage more mixed housing provision, which has a positive impact.

**Equality information on which above analysis is based.**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the implementation of the SPD will largely give rise to positive impacts. No specific impacts have been identified that would affect people differently as a result of their gender reassignment.

**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.)**

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impact

The adoption of the SPD and the implementation of the planning obligations will help to encourage and maintain balanced and mixed communities with sufficient infrastructure to support the needs of all groups in society. Over the long term it should also help to improve community safety and community cohesion and encourage more mixed housing provision, which has a positive impact.

**Equality information on which above analysis is based**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the implementation of the SPD will largely give rise to positive impacts. No specific impacts have been identified that would affect people differently as a result of their marriage or civil partnership.

**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.

**Possible impacts (positive and negative) of proposed policy/decision/business plan****Positive impact**

The SPD is seeking to improve the quality of the built environment for all, by securing contributions towards the public realm from new development that will address permeability and continuity of movement, improve links between communities and improve access and connectivity within places. This may result in a positive impact for pregnant women who may find it more difficult to walk and travel in later stages of pregnancy.

Securing additional affordable housing in the borough will also improve issues with overcrowding in a borough with an ever increasing population.

The SPD requirements for employment and skills training is likely to benefit mothers wishing to return to work after maternity time, young mothers seeking to complete/further their own qualifications after giving birth as well as those in need of retraining or additional qualifications in order to return to work after raising a family.

**Equality information on which above analysis is based**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the implementation of the SPD will largely give rise to positive impacts.

**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.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impact

Unemployment levels are generally higher across the borough for Black and Ethnic Minority (BME) communities. The SPD will help to ensure that skills, training and employment opportunities are provided. All of this offers the potential for BME communities to become more involved and empowered in the workplace and help to reduce levels of economic deprivation in the borough.

Furthermore, evidence from the 2011 Census shows that BME residents are more likely to be in need of affordable housing and are amongst households with issues of overcrowding. The SPD is the negotiating mechanism for affordable housing and will continue to be so beyond the introduction of CIL in 2014. It therefore plays an essential part in sustainable communities and community cohesion.

Also, requirements for the provision of improved public realm are likely to benefit all ethnic groups because it may facilitate improvements in social integration and interaction between people of different ethnicities.

**Equality information on which above analysis is based**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise. Information from the 2011 Census has also been reviewed.

**Mitigating actions to be taken**

The above analysis highlights that the implementation of the SPD will largely give rise to positive impacts. No specific impacts have been identified that would affect people differently as a result of their race.

We will ensure there is adequate engagement with BME groups regarding the SPD. Accessibility to translation services will be available if required.

**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.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impacts

The SPD planning obligations will help to improve the borough for all local residents in seeking to provide a sustainable place to live, work and play for all communities and equality strands. It does not directly address religious belief, as the objective is to improve quality of life for all of the borough's existing and future residents.

**Equality information on which above analysis is based**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the implementation of the SPD will largely give rise to positive impacts.

**Sex** - A man or a woman.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impacts

All types of planning obligations are likely to positively affect both men and women helping to encourage and maintain balanced and mixed communities with sufficient infrastructure to support the needs of all groups in society. Over the long term it should also help to improve community safety and community cohesion and encourage more mixed housing provision, which has a positive impact.

There are relatively high levels of unemployment and economic inactivity amongst women and men across the borough. The SPD will ensure that skills, training and employment opportunities are provided through new development. This will offer the potential for women and men to become more involved and empowered in the workplace, and help to reduce levels of economic deprivation in the borough. In particular, requirements for skills training may benefit women in particular who tend to comprise the largest proportion of people on income support.

**Equality information on which above analysis is based**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the implementation of the SPD will largely give rise to positive impacts.

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

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impacts

The SPD planning obligations will help to improve the borough for all local residents in seeking to provide a sustainable place to live, work and play for all communities and equality strands. It does not directly address sexual orientation, as the objective is to improve quality of life for all of the borough’s existing and future residents.

The adoption of the SPD will help to encourage and maintain balanced and mixed communities that support the needs of all groups in society.

**Equality information on which above analysis is based**

This Equalities Analysis has also been informed by previous equalities analyses undertaken for planning policy documents, our evidence base documents and our local knowledge and expertise.

**Mitigating actions to be taken**

The above analysis highlights that the implementation of the SPD will largely give rise to positive impacts.

**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

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Positive impact

**Information on which above analysis is based**

Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). Various Convention rights may be engaged in the process of making and considering the Article 4 Direction, including under Articles 1 and 8 of the First Protocol. The European Court has recognised that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”. Both public and private interests are to be taken into account in the exercise of the council’s powers and duties as a local planning authority. Any interference with a Convention Right must be necessary and proportionate.

**Mitigating actions to be taken**

N/A

## Section 5: Further actions and objectives

<b>5. Further actions</b>			
Based on the analysis above, areas are identified as requiring more detailed analysis or key mitigating actions.			
<b>Number</b>	<b>Description of Issue</b>	<b>Action</b>	<b>Timeframe</b>
1	Ensure that the SPD is adopted within the shortest possible timeframe by the council to ensure section 106 planning obligations can be appropriately secured (upon adoption of the borough CIL) from developments in the context of national and regional government policy.	Progress the SPD towards formal adoption at Cabinet and Council Assembly.	Cabinet approval of final SPD in April 2015
2	Concerns were raised in the consultation on the draft SPD on how the income from CIL will be spent locally, particularly the engagement and decision making process being transparent to the local community.	The Council should ensure that the process that is implemented for delivering change with the proceeds of CIL is fair and equal across types of infrastructure and the geography of the borough, and the engagement process is transparent and inclusive.	2015-2018 (3 year review of CIL)
2	Ensure that the implementation of the SPD is monitored following adoption for potential actual effects on different groups.	The outcomes of implementing the guidance in the SPD will be monitored through the Authority Monitoring Report (AMR). Equality analysis is an on-going process that does not end once the SPD is implemented.	The monitoring arrangements will be undertaken annually.

