

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

EQUALITY IMPACT ASSESSMENT – BOROUGH LOCAL PLAN (REPORT TO COUNCIL 23 OCTOBER, 2019). SUPPLEMENTARY SCREENING

ESSENTIAL INFORMATION										
Item being assessed (Please tick):	Strategy	<input checked="" type="checkbox"/>	Policy	<input checked="" type="checkbox"/>	Plan	<input checked="" type="checkbox"/>	Project	<input type="checkbox"/>	Service/Procedure	<input type="checkbox"/>
Responsible Officer:	Jenifer Jackson, Head of Planning			Service:	Planning					
				Directorate:	Place					
STAGE 1: EqIA SCREENING (MANDATORY)				STAGE 2: FULL ASSESSMENT (IF APPLICABLE)						
Date created:	14/10/19 (Original full assessment – for 19 June 2017 report to Council)			Date created:						
				Date reviewed by Law & Governance:						
Approved by Head of Service / Overseeing group/body / Project Sponsor:	"I am satisfied that an equality impact has been undertaken adequately."									
	Signed:	Jenifer Jackson								
	Date:	14.10.19								

GUIDANCE NOTES

What is an EqIA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqIAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups.

What are the “protected characteristics” under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqIA?

The process for conducting an EqIA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

STAGE 1: SCREENING (MANDATORY)

1.1 What is the overall aim of your proposed *strategy/policy/project etc* and what are its key objectives?

This EQiA is a supplementary screening of changes related to the Borough Local Plan Submission Version – Proposed Changes (BLP SV – PC). [A full EQiA](#) was undertaken on 8 June, 2017 to support the Regulation 19 (publication version) of the BLP pre submission to the Secretary of State on 31st January, 2018.

- The Borough Local Plan (BLP) is a key corporate priority and over the last few years the Council has been preparing a new BLP that will provide the development plan to guide the future development of the Borough. It is important that the Council has an up-to-date Local Plan prepared and adopted in accordance with the National Planning Policy Framework (NPPF), published in March 2012.
- The BLP will set out housing targets for the borough and address strategic housing, economic and infrastructure issues including housing and mixed use allocations up to 2033. The aim will be to have a flexible housing stock to meet the wide range of accommodation needs (flexible, accessible, adaptable and age friendly).
- The BLP will include policies and proposals for the protection and provision of employment land and review other aspects of the adopted BLP as appropriate. The new BLP will set out site and development management proposals to replace, as appropriate, existing BLP policies.
- The new BLP will sit alongside any further adopted Development Plans Documents, including Minerals and Waste, Travellers and plans from the neighbourhood planning process.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics?

*Consider each of the protected characteristics in turn and identify whether your proposal is **Relevant** or **Not Relevant** to that characteristic. If **Relevant**, please assess the level of impact as either **High** / **Medium** / **Low** and whether the impact is **Positive** (i.e. contributes to promoting equality or improving relations within an equality group) or **Negative** (i.e. could disadvantage them). Please **document your evidence** for each assessment you make, **including** a justification of why you may have identified the proposal as "Not Relevant".*

Protected characteristic	Relevance	Level	Positive / Negative	Evidence
Age	Relevant	Medium	Positive	<p>The NPPG (National Planning Policy Guidance) identifies a number of groups which may have housing needs which differ from those of the wider population. The Strategic Housing Market Assessment 2016 (SHMA) indicates the following in the borough over the period 2013 to 2036:</p> <ul style="list-style-type: none"> ○ An ageing population with a significant projected growth in the over 65 year olds (expected to be 62%) ○ Projected increase of circa 9,500 people living with long term health problems or disability ○ Population aged 15 or under is expected to increase by 10% ○ The number of households headed up by someone aged under 35 is expected to increase by 12% (high relevance in private rented sector) <p>The aim will be to have a flexible housing stock to meet the wide range of accommodation needs (flexible, accessible, adaptable and age friendly).</p> <p>The BLP SV – PC recognises that new homes should support the changing needs of individuals and families at different stages of life and the expectation is that a proportion of new housing should meet the higher accessibility standards of Requirement M4(2) of the Building Regulations.</p> <p>Housing built to the standard under Requirement M4(2) will make reasonable provision for most people to access the dwelling and incorporate features to make it potentially suitable for a wide range of occupants, including older people, those with limited mobility and some wheelchair users. Provision to meet the higher wheelchair user standard M4(3) will be encouraged where this is practicable given site considerations and financially viable to do so.</p>
Disability	Relevant	Medium	Positive	
Pregnancy and maternity	Relevant	Medium	Positive	
Race	Relevant	Medium	Positive	

				The Gypsy and Travellers Policy (BLP Policy HO4) provides criteria under which sites can be promoted and delivered by the gypsy, traveller and travelling showpeople communities. Policies in the BLP set out access requirements for pedestrians, vehicles and caravans to and from the highway and requirements for storage and maintenance of show equipment and associated vehicles. These support the needs of gypsies, travellers and travelling showpeople.
Religion or belief	Relevant	Medium	Positive	<p>Places of worship are categorised as ‘Community facilities’ and deemed as making a significant contribution to the wellbeing of residents and the sustainability of communities.</p> <p>The BLP recognises that these facilities must be able to develop and modernise in a way that is sustainable in order to make it possible for them to remain in use. The policy ensures that any development proposals that would result in the loss of community, leisure and cultural facilities must be accompanied by an assessment of both existing facilities and the need for and value of the facility of the community. Where there is evidence that existing provision is not able to meet needs, the Council proposes work with partners to seek and where possible, enable new facilities.</p>
Gender reassignment	Not relevant			The BLP is written for all members of the community and not for specific individuals or groups. As a result it is unlikely to have a disproportionate impact on any particular individual or group.
Marriage and civil partnership	Not relevant			
Sex	Not relevant			
Sexual orientation	Not relevant			

OUTCOMES, ACTION & PUBLIC REPORTING

Screening Assessment Outcome	Yes / No / Not at this Stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
<p>Was a significant level of negative impact identified?</p>	<p>No</p>	<p>At this time it is considered that the proposed allocations and policies are unlikely to have a disproportionate impact on any particular group.</p> <p>The BLP SV – PC includes a series of Monitoring Indicators drawn directly from the BLP objectives (indicating how objectives may be met). These indicators will be routinely reviewed and published annually via the Monitoring Report.</p> <p>Previous versions of the BLP enabled groups and individuals to make representations regarding soundness and legal compliance and relevant changes from consultations to date have been incorporated into the BLP SV – PC.</p> <p>The next round of consultation on the ‘BLP Submission Version – Proposed Changes’ is due to take place commencing 1st November 2019 (subject to Council approval).</p>		

		<p>The proposed changes will then be considered by an independent inspector appointed by the Secretary of State for Communities and Local Government. The direct impacts of the BLP are therefore subject to extensive consideration.</p> <p>Subsequent EQiA screenings are expected at key decision points in the future.</p>		
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Does the strategy, policy, plan etc require amendment to have a positive impact?	No			
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If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered "No" or "Not at this Stage" to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

STAGE 2: FULL ASSESSMENT

2.1 SCOPE & DEFINE

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

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2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.

2.2 INFORMATION GATHERING/EVIDENCE

2.2.1 What secondary data have you used in this assessment? Common sources of secondary data include: censuses, organisational records.

2.2.2 What primary data have you used to inform this assessment? Common sources of primary data include: consultation through interviews, focus groups, questionnaires.

Equality Duty Statement	Protected Characteristic	Advancing the Equality Duty		Negative impact		Explanation & Mitigations Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic
		Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	
	Age					

Eliminate discrimination, harassment, victimisation	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
	Sexual orientation					
Advance equality of opportunity	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
Foster good relations	Sexual orientation					
	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					

	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
	Sexual orientation					

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts?

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

EqIA Process

