

**EQUALITY IMPACT ASSESSMENT (EIA)  
SCREENING FORM**

**1. Introduction to the EIA process**

A successful EIA will look at 5 key areas:

- **Identify the Policy / Service to be assessed** – a clear definition of the policy / service and its aims;
- **Screening** - Collect data to evidence the type of barriers people face to accessing services (research, consultations, complaints and/or consult with equality groups;
- **Prioritising Impact** – reaching an informed decision on whether or not there is a differential impact on equality groups, and at what level,
- **Action Planning**– develop an action plan to make changes where a negative impact has been assessed
- **Measuring outcomes** – stating how you will monitor and evaluate the policy / service to ensure that you are achieving the expected outcomes for all groups.

**2. Name of the policy / service :**

Planning Enforcement Charter 2018 (Planning Enforcement Team, Planning & Building Standards, DRS)

**3. List main activities of the policy / service :**

Planning permission is required for all development that takes place, with the exception of more minor works. Sometimes developers or householders undertake work without planning permission or fail to keep to the permission they have been given. Councils have powers to enforce planning controls in such cases.

However, enforcement action is discretionary and it is not illegal to carry out development without planning permission. Action should only be taken if it is in the public interest to do so. Circular 10/2009 on Planning Enforcement sets out Government policy on the use of enforcement powers, which this Charter accords with.

Section 158A of the Town and Country Planning (Scotland) Act 1997 (The Planning Act) requires planning authorities to produce and review planning enforcement charters every two years. The current 2016 charter is now due for review. The Planning Enforcement Charter sets out how the enforcement process works, the role of the Council and the service standards that customers of the service can expect. Planning enforcement can be a long and complex process and resources are limited so it is important that the Charter indicates clearly when action will be taken.

There have been no changes to enforcement legislation over the last two years. The proposed changes seek to promote further the Charter as a customer-focused document for the general public to have access to the service, clarity of process and transparency in actions taken. Where enforcement action is considered necessary and expedient it will be taken with proportionality, consistency and fairness in relation to the provisions of the City Development Plan and any other relevant planning considerations.

**4. Who will be the main beneficiaries of the policy / service:**

Stakeholders: i.e. Residents and businesses affected by unauthorised development within the Glasgow City area

**5. Name of officer completing policy / service screening**

Tony Trotter 2<sup>nd</sup> February 2018

**6. Screening Verified by**

Jackie Zambonini 2<sup>nd</sup> February 2018

**EVIDENCE/ENGAGEMENT**

The best approach to find out if the policy / service is likely to impact negatively or positively on equality groups is to look at existing research, previous consultation recommendations, studies or consult with representatives of those groups. This will provide you with what do you need to know that will provide you with evidence of the needs of the diverse population and their needs.

Please name any research, data, consultation or studies referred to for this assessment:	Please state if this reference refers to; Gender, BME, Disabled people, LGBT, older people, children & young people or faith & belief.	Do you intend to set up your own consultation? If so, please list the main issues that come from this consultation.
Performance statistics in relation to the standards set by the current Planning Enforcement Charter (2016)	<p>There is a universal right to engage with the Planning Enforcement Team by submitting a complaint for consideration of appropriate action in relation to Planning legislation.</p> <p>The publication of the Charter will ensure transparency of powers, procedures and</p>	N/A

	<p>overall approach in dealing with complaints against breaches, received from all individuals and groups within society. Cases will be considered for action in a fair and consistent way irrespective of gender, race, disability, sexual orientation, age, religion or belief, or other recognized equality group.</p> <p>Enforcement action which is proportionate to harm will be taken where it is considered expedient to do so, only in relation to the provisions of the City Development Plan and other recognised planning interests which may be harmed as a consequence of unauthorised development.</p>	
<p>Complaints received regarding breaches of planning control number about 600-700 cases every year. Complaints regarding delivery of service are also made through the Council's Complaints Handling Process. There is no collective body of evidence from either of these sources to indicate that the implementation of the current Charter has had any significant implications for any equality groups which would need to be addressed.</p>	<p>As per above, no specific equality groups are noted as being differentiated through the implantation of the current Charter and therefore further exploration of this would not appear to be warranted.</p>	

### DIFFERENTIAL IMPACT

Use the table below to tick where you think the policy / service has either a negative impact (could disadvantage them) or a positive impact (contributes to promoting equality or improving relations within an equality group), based on the evidence you have collated

There are too many faith groups to provide a list, therefore, please input the faith group e.g. Muslims, Buddhists, Jews, Christians, Hindus, etc. Consider the different faith groups individually when considering positive or negative impacts.

		<b>Positive Impact – it could benefit an equality group</b>	<b>Good Practice/Promotes Equality or improved relations</b>	<b>Negative Impact – it could disadvantage an equality group</b>	<b>Reason</b>
<b>GENDER</b>	Women		✓		To support the continuing physical, social, economic, cultural and environmental regeneration of the City by ensuring the effective enforcement of planning controls throughout the City where these are most required, in support of the wider mainstream planning system.
	Men		✓		As above.
<b>RACE</b>	White		✓		As above.
	Asian		✓		As above.
	African/Caribbean		✓		As above.
	Other ethnic group		✓		As above.
	Mixed or multiple ethnic group				As above.
<b>DISABILITY</b>	Physical disability		✓		As above.
	Sensory Impairment (sight, hearing, )		✓		As above.

		<b>Positive Impact – it could benefit an equality group</b>	<b>Good Practice/Promotes Equality or improved relations</b>	<b>Negative Impact – it could disadvantage an equality group</b>	<b>Reason</b>
	Learning Disability		✓		As above.
	Mental Health Issues		✓		As above.
<b>LGBT</b>	Lesbians, Gay Men, Bisexual, Transgender		✓		As above.
<b>AGE</b>	Older People (60 +)		✓		As above.
	Younger People (16-25)		✓		As above.
	Children (0-16)		✓		As above.
<b>RELIGION &amp; BELIEF</b>	Input *		✓		As above.
<b>MATERNITY AND PREGNANCY</b>			✓		As above.
<b>GENDER REASSIGNMENT</b>			✓		As above.
<b>Other (e.g. caring responsibilities)</b>			✓		As above.

Continue to answer or tick the following questions where the initial screening (above) indicated that there may be a negative impact on certain equality groups. \*\* Equality Legislation listed a back of this document.

<b>IMPACT</b>	<b>YES</b>	<b>NO</b>
<b>HIGH</b>		
There is substantial evidence and/or concern that people from different groups or communities are (or could be) differently affected by the policy / service.		✓
<b>MEDIUM</b>		
There is some evidence and/or some concern that people from different groups or communities are (or could be) differently affected		✓
<b>LOW</b>		
There is little or no evidence that some people from different groups or communities are (or could be) differently affected.	✓	
Does the negative impact breach any of the equality legislation? **		✓
	<b>Immediately</b>	<b>Within next 6 months</b>
The negative impact requires action to be taken		N/A

**TAKING ACTION**

**SCREENING ACTION PLAN**

<b>Policy / service name</b>	<b>Issues</b>	<b>Action Required</b>	<b>Lead Officer</b>	<b>Timescale</b>	<b>Completed/date of review</b>
	Could you remove the negative impact from the project, policy or strategy?				
	Could you change the project, policy or strategy to have a positive impact?				
Planning Enforcement Charter 2018	If you can do neither of the above, please recommend the next steps to be taken.	None required. Monitor performance in relation to service standards and any issues arising from implementation of Charter	Tony Trotter	1 <sup>st</sup> April 2018 – 31 <sup>st</sup> March 2020	

## **MEASURING OUTCOMES**

The equality impact assessment screening is not an end in itself but the start of a continuous monitoring and review process. It is our responsibility to identify any current, new or developing issues raised by the community.



## Legislation

The UK Government's Equality Act 2010 replaces the existing equality legislation and brings anti-discrimination laws together in a single Act. It simplifies the law and removes inconsistencies making it easier for people to understand and comply with it. The Equality Act protects people on the basis of protected characteristics specified in the Act. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

A key measure within the Act is the Public Sector **Equality Duty** which came into force on 5 April 2011. This Duty requires public bodies to be pro-active in tackling discrimination by eliminating discrimination, pro-actively promoting equality of opportunity and by fostering good relations between those who share a protected characteristic and those who do not. The intention is to prevent discrimination by bringing equality into the mainstream and taking the Equality Duty into consideration before, during and while making a decision on the development of policy options

The Equality Duty is supported by the **specific duties** set out by Scottish Ministers to apply to some public authorities including local authorities. The specific duties require public bodies to publish information to show their compliance with the Equality Duty.

One of the specific duties relates to Equality Impact Assessment. Public Authorities in Scotland are required to carry out impact assessments of any proposed new or revised policy or practice. "Policy" is used as shorthand for a range of different types of functions including strategies, plans, services or proposals as well as provisions, criteria and practices. For example, setting budgets, developing high-level strategies, changing organisational practices such as internal restructuring or proposals for any of the above.

Impact assessments should be based on relevant evidence and the results should be published,