

## Colchester Borough Council

### Equality Impact Assessment Form - An Analysis of the Effects on Equality

#### Section 1: Initial Equality Impact Assessment

Name of policy to be assessed:

- Major Preliminary Enquiries and Planning Performance Agreements

*NB: 'Policy' is meant broadly to mean policy, strategy, service, function, activity or decision.*

<http://www.colchester.gov.uk/article/13519/Pre-application-Advice>

1. What is the main purpose of the policy?

- To facilitate efficient operation of the planning service for major development through the provision of discretionary professional advice and the agreement of project milestones and mutual responsibilities.

2. What main areas or activities does it cover?

- Major Planning applications for strategic-scaled development

3. Are there changes to an existing policy being considered in this assessment? If so what are they?

- No

4. Who are the main audience, users or customers who will be affected by the policy?

- Primary audience is large scale developers

5. What outcomes do you want to achieve from the policy?

- Robust advice to developers and increased certainty in the development process.

6. Are other service areas or partner agencies involved in delivery? If so, please give details below:

- Development Team partners (CBC, ECC and NHS) are involved in the delivery process

7. Are you aware of any relevant information, data, surveys or consultations<sup>1</sup> which help us to assess the likely or actual impact of the policy upon customers or staff?

- Developers Forum provides feedback on customer satisfaction.

*If so provide details and include a link to the document or source where available.*

8. The 'general duty' states that we must have "due regard" to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation
- (b) advance equality of opportunity between people who share a 'protected characteristic'<sup>2</sup> and those who do not<sup>3</sup>
- (c) foster good relations between people who share a protected characteristic and those who do not<sup>4</sup>

Not all policies help us to meet the 'general duty', but most do.

*Where applicable, explain how this policy helps us to meet the 'general duty':*

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<sup>1</sup>Click on [surveys or consultations](#) for more information. The Council's surveys and consultations include 'equality monitoring information' to help us identify any particular concerns or views expressed by any particular group or 'protected characteristic'. It can also help us to assess how representative of our customers the respondent group is. Local Data on the Protected Characteristics is available [on this page](#) of the Hub.

<sup>2</sup>The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

<sup>3</sup>This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

<sup>4</sup>This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

The policy helps us to ‘eliminate unlawful discrimination, harassment and victimisation’ in the following way(s):

- By ensuring that developments are safe, accessible and underpinned by adequate infrastructure through securing developer contributions for sustainable transport, affordable homes, recreation, open space, community facilities. Healthcare and education.

The policy helps us to ‘advance equality of opportunity...’ in the following way(s):

- By ensuring that developments are inclusive through the creation of safe and accessible environments with provision for less advantaged groups to access homes, healthcare, recreation and employment opportunities.

The policy helps us to ‘foster good relations...’ in the following way(s):

- By ensuring that equality of life opportunities are promoted through the development process to avoid competition for scarce resources on the basis of personal characteristics. Equality of opportunity will help foster good relations.

9. This section helps us to identify any disproportionate impacts. Please indicate in the table below whether the policy is likely to particularly benefit or disadvantage any of the ‘protected characteristics’.

Remember to include reference to any relevant consultation, data or information.

‘Protected characteristic’ group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
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'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Age	Older people (60+)	Yes	By promoting equality of opportunity through ensuring major developments are safe and accessible with appropriate provision/contribution of sustainable transport, affordable homes, recreation, open space, community facilities, healthcare and education.	None	None identified
	Younger people (17-25) and children (0-16)	Yes	As above	None	None identified
Disability	Physical	Yes	As above	None	None identified
	Sensory	Yes	As above	None	None identified
	Learning	Yes	As above	None	None identified
	Mental health issues	Yes	As above	None	None identified
	Other – <i>specify</i>	Yes	As above	None	None identified
Ethnicity <sup>5</sup>	White	Yes	As above	None	None identified
	Black	Yes	As above	None	None identified
	Chinese	Yes	As above	None	None identified
	Mixed Ethnic Origin	Yes	As above	None	None identified
	Gypsies/ Travellers	Yes	As above	None	None identified
	Other – <i>please state</i>	Yes	As above	None	None identified
Language	English not first language	Yes	As above	None	None identified
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks	Yes	As above	None	None identified
Religion or Belief	People with a religious belief (or none)	Yes	As above	None	None identified

<sup>5</sup> National Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British), African, Caribbean, Other Black (Black or Black British), White and Black African, White and Asian, White and Black Caribbean (Mixed), British, Irish, Other White (White), Chinese, Other (Other Ethnic Group).

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Sex	Men	Yes	As above	None	None identified
	Women	Yes	As above	None	None identified
Gender Reassignment <sup>6</sup>	Transgender/ Transsexual	Yes	As above	None	None identified
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian	Yes	As above	None	None identified
Marriage and Civil Partnership	People who are married or in a civil partnership	Yes	As above	None	None identified

10. If you have identified any negative impacts (above) how can they be minimised or removed?

*(This is a key section: Please deal with each negative impact noted above in turn.)*

- None identified

11. Could the policy discriminate<sup>7</sup> against any 'protected characteristic', either directly or indirectly<sup>8</sup>?

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<sup>6</sup> The protected characteristic of gender reassignment is defined by the Equality Act 2010 as “a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” This is a personal process that may involve medical interventions such as counselling, psychotherapy, hormone therapy or surgery, but does not have to. NB: It is generally held that transgender people disguise their features or clothing to resemble their preferred sex, whereas transsexual people wish to change their body to completely resemble their preferred sex.

<sup>7</sup> The Council has a general duty to 'eliminate unlawful discrimination, harassment and victimisation'. Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their 'protected characteristic' whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or marriage and civil partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their 'protected characteristic'.

<sup>8</sup> If you answer 'yes' to question 11 (above) you will need to complete this section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

*(Please read the footnotes below before completing this section.)*

- The policy helps mitigate against unintentional discrimination by ensuring that developments are inclusive and accessible and promote life chances and well being. There are no known means by which the policy could result in direct or indirect discrimination.

## Summary and findings of Initial Equality Impact Assessment

12. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No negative impacts have been identified <input checked="" type="checkbox"/>	Sign off screening and finish.
Negative impacts have been identified but have been minimised or removed <input type="checkbox"/>	Sign off screening and finish.
Negative impacts could not be minimised or removed <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

13. Name and job title of person completing this form:

- Simon Cairns, Planning Projects Manager

14. Date of completion:

- 10 April 2015

15. Date for update or review of this screening:

- April 2016

*If you have now signed off this screening form, Section Two is not required and you should remove Section Two from this document, along with these two paragraphs in italics. Please send a copy to the relevant Head of Service and the Equality and Safeguarding Officer. You also need to arrange for it to be published on the Council's website [here](#) – under the relevant service area heading.*

*If you have now signed off this full assessment, please send a copy to the relevant Head of Service and the Equality and Safeguarding Officer. You also need to arrange for it to be published on the Council's website [here](#) – under the relevant service area heading.*