

HDC Due Regard (Equality Analysis)

Due Regard (Equality Analysis) is an on-going proactive process which requires us to consider the effect our decisions are likely to have on local communities, service users and employees, particularly those most vulnerable and at risk of disadvantage.

This template has been designed to assist in the collation of information and evidence required to support the 'Due Regard' process when introducing new policies/procedures/functions and services or reviewing existing ones.

For help with this template please view the guidance document, which contains advice to assist you when you are considering the impact (both positive and negative) of the proposed actions on each of the protected equality characteristics.

Name of policy/procedure/function/service being analysed: Harborough District Council Planning Obligations Supplementary Planning Document (SPD) (updated version)

Department and section: Strategic Planning Team

Name of lead officer: Andrew Tyrer

Other people involved (assisting or reviewing – including any service users or stakeholder groups etc.):

Date assessment completed: Commenced June 2020

Step 1: Defining the policy/procedure/function/service

Is this a new, amended or reviewed policy? What are the aims, objectives and purpose and how will they be achieved? What are the main activities and which communities are likely to be affected by these activities? What are the expected outcomes?

The Planning Obligations SPD document aims to advise local communities, developers and key stakeholders in relation to securing community infrastructure, linked to the policies in the Harborough Local Plan, to support the housing and growth agenda across the Harborough District. The document provides guidance to assist the Council in assessing the type of planning obligations which would be necessary to mitigate the impacts of a new development proposal and how its impacts on local services and infrastructure can be delivered to support growth and sustainable development.

Planning obligation is a legally enforceable obligation entered into under Section 106 (S106) of the Town and Country Planning Act 1990. S106 planning obligations are necessary to make development acceptable in planning terms, to ensure sustainable development, which provides for social, economic, and environmental wellbeing. S106 planning obligations often provide community facilities which can help benefit disadvantaged or vulnerable members of the community.

The main stakeholders for this document are developers, landowners, infrastructure providers and local communities and this document has been prepared to inform them about the Harborough District Council approach to securing community infrastructure and affordable

housing through S106 planning obligations. The work will support a number of other strategies and policies, in particular the Harborough Local Plan, Housing Strategy and the Infrastructure Delivery Plan.

Step 2: Data collection & evidence

What relevant evidence, research, data and other information do you have and is there any further research, data or evidence you need to fill any gaps in your understanding of the potential or known affects of the policy on different communities? Include quantitative data as well as qualitative intelligence such as community input and advice.

The Planning Obligations SPD document should have a positive impact on all groups. It will ensure that appropriate levels of provision are made available to existing and future communities, at appropriate times. These provisions will include facilities that will be made accessible to the public, like community buildings and open spaces.

Age – For those in younger age groups, contributions towards open space and play facilities and contributions from new residential developments towards the provision of existing educational facilities will have a positive impact. Affordable housing will help those trying to buy their first homes and those who may be moving out of home but would otherwise be unable to buy a property local to their family as housing is too expensive. Some developments will be expected to make a contribution towards local employment and enterprise, transport and community buildings which will be of benefit to residents of all ages.

Disability – Contributions towards affordable homes, transport infrastructure, accessible community buildings, open spaces and improved roads and pavements will be beneficial for people with disabilities and should make employment (Office of National Statistics show that in 2018 employment rates for people with disabilities was 51% compared to 81% of people without a disability) and social activities more readily accessible. The design of these provisions, which forms part of the planning application process, will include consideration of measures which may be appropriate. However, some properties, particularly listed buildings, may have legal restrictions in place. These may impact on the opportunities for some properties to comply with what is otherwise best practice in relation to equality law and accessibility.

Gender - Access to provisions like affordable homes, community centres, open spaces and training opportunities are beneficial for everyone, but statistics show that the female population tend to have a lower income, are more likely to work part time and also to live in single parent households, and therefore provisions such as affordable homes and community spaces will provide more opportunities for this group. Females who are pregnant or any new parents with young children will also benefit There will be benefits for people in terms of places where they can go to participate in community activities (including centres which provide information and guidance for mothers and mothers-to-be) and opportunities to enjoy a better quality of life through improved open spaces which will encourage a healthy lifestyle.

Gender Identity – Opportunities for better access to local support services and increased community spaces will provide more prospects for people to build support networks locally.

Race – Affordable housing will assist families who wish to live close together and increased community facilities will provide increased opportunity for provision of services and support networks. Opportunities for employment could also benefit people as Office of National Statistics show that in 2018, 77% of the white 16-64 population were employed compared to 65% of all other ethnic groups combined.

Religion/Belief – Contributions towards community centres may provide opportunities to negotiate for facilities where there is a need for space for specific religious activities. Increased affordable housing may also mean that people are able to live closer to places of worship.

Sexual Orientation – Opportunities for better access to local support services and increased community spaces will provide more prospects for people to build support networks locally.

Communications – To ensure that people from all communities have an opportunity to understand and contribute to the document we will ensure that it is written in a way that is easy to understand and will also translate requested documents in other formats if required.

Overall, the document is likely to indirectly benefit anyone who relies on certain forms of community infrastructure, particularly those who maybe disadvantaged or vulnerable and would be more likely to need community services. Irrespective of personal characteristics anyone with a low income as a result of unemployment or underemployment may find new opportunities arising as a result of the employment or training opportunities which become available through S106 Agreements aligned to development proposals. Similarly, some households may find that their chances of securing a suitable social housing tenancy increase due to the construction of affordable housing.

Step 3: Consultation and involvement

Have you consulted and if so outline what you did and who you consulted with and why.

We are currently preparing to consult, and our desired outcome is to obtain feedback on this updated Planning Obligations Supplementary Planning Document (SPD) to ensure we have considered everybody's needs. We will achieve this through public consultation with a wide range of stakeholders including local communities, council services, other local Councils, infrastructure providers, developers and landowners.

Step 4: Potential impact

Considering the evidence from the data collection and feedback from consultation, which communities will be affected and what barriers may these individuals or groups face in relation to Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Other groups e.g. rural isolation, deprivation, health inequality, carers,

asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities and also the potential impact on Community Cohesion. Remember people have multiple characteristics so the impact of a policy on a particular community may impact people within the community differently. Where possible include numbers likely to be affected.

Everyone who lives in, works or visits the Harborough District will be directly or indirectly affected by the Harborough District Council Planning Obligations SPD. Planning obligations will be applied to new development which will then be used to help fund the infrastructure and the services required to support planned growth and sustainable development in the District.

The document does not seek to provide services for any specific group of people with protected characteristics, nor does it promote the interest(s) of any individual group over another group. Therefore, we do not believe that the document will discriminate against any of the protected characteristics either at a group or individual level. We do believe that the document will have a positive impact on people of all ages irrespective of disability, gender, gender identity, race, religion or belief, sexual orientation, or whether or not they are pregnant, married or in a civil partnership. This is because the planning obligations process can provide a useful and additional source of funding to help pay for community infrastructure (such as schools, green spaces, roads, transport facilities, flood defences and healthcare facilities) which are used by everyone.

Step 5: Mitigating and assessing the impact

If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons. If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. Consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs have identified can be addressed.

There may be cases where the obligations requested are considered unviable, and this could delay the development process. To address this, the document sets out the Council's preferred and alternative approaches to ensure that the needs of the community can still be addressed.

Monitoring of how the document is working and what communities are being impacted will be important moving forward to ensure that any all groups benefit and that people from all characteristics are able to understand the process and have an opportunity to apply for funding. Whilst this should be assessed as part of the application process if certain groups do not understand this document, they may not realise that they have an opportunity to apply for S106 contributions.

Step 6: Making a decision

Summarise your findings and give an overview of whether the policy will meet Harborough District Council's responsibilities in relation to equality, diversity and human rights. Does it contribute to the achievement of the three aims of the Public Sector Equality Duty – eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity and foster good relations?

The Planning Obligations SPD will comply with the SCI, and as such contribute to HDC's responsibilities in relation to equality, diversity and human rights by setting out an approach to collecting information as part of the consultation on the Planning Obligations SPD making planning policy and site information collection processes accessible and ensuring that responses can be made, considered and processed.

Clarity on the purpose of the Planning Obligations SPD will be important to foster good community relations, as new development often have potential impacts.

Step 7: Monitoring, evaluation & review of your policy/procedure/service change

What monitoring systems will you put in place to promote equality of opportunity, monitor impact and effectiveness, and make positive improvements? How frequently will monitoring take place and who will be responsible?

Consider any specific equalities issues facing the identified groups as an integral part of the Smarter Services methodology via the Customer Journey mapping

As required by the SCI, report annual Local Authority Monitoring Report (AMR) details of the Planning Obligations SPD consultation exercise.

Record quantitative data on the number of respondents (by respondent category e.g., resident, developer / agent, statutory consultee and submission method e.g. online / email / letter) to the Planning Obligations SPD consultation exercise.

Consider developing a satisfaction survey for users of the updated and revised Planning Obligations SPD.

The potential to collect and analyse equalities monitoring data via any online consultation system (Planning policy) or alternative consultation methods has been explored and set up. This will enable a better understanding of the profile of users, identify any gaps or barriers for particular groups and to inform future consultation practices (beyond the statutory minimum) for the planning service.

Equality Improvement Plan

Equality Objective :

Action: Include equality question as part of response form design

Officer Responsible: Strategic Planning Team

By when: By launch date 11/12/20 Complete

Equality Objective :

Action: Team consider any equalities issues raised directly, via customer services or for equalities officer

Officer Responsible: Strategic Planning Team

By when: During consultation Dec 11 2020 to 5 Feb 2021

Equality Objective :

Action: Review any issues raised and considered further after consultation closes, take additional actions taken if needed.

Officer Responsible: Strategic Planning Team

By when: Undertake review after consultation closes, Spring 2021

Equality Objective :

Action: Equalities officer undertakes assessment of equalities responses received and flags any issues.

Officer Responsible: J.Clarke

By when: February 2021

Signed off by: Principal Planning Officer

Date: 10.12.20

Once signed off, please forward a copy for publication to Julie Clarke, Equality and Diversity Officer
e-mail: j.clarke@harborough.gov.uk , telephone: 01858 821070.