



# **Revised Regulation 123 List and Planning Obligations Supplementary Planning Document**

## **EQUALITIES ANALYSIS SCOPING REPORT**

**April 2016**



# Equality Analysis (EA) Scoping Report

## Section 1 – General Information (Aims and Objectives)

Name of the proposal including aims, objectives and purpose:

*(Please note – for the purpose of this doc, ‘proposal’ refers to a policy, function, strategy or project)*

London Borough of Tower Hamlets Revised Regulation 123 List and Planning Obligations Supplementary Planning document

Who is expected to benefit from the proposal?

The local community, which includes local residents, businesses and organisations within Tower Hamlets, through the mitigation of site-specific and negative impacts of development and provision of affordable housing and opportunities to the local workforce and local business.

Service area:

Planning and Building Control

Team name:

Infrastructure Planning

Service manager:

Owen Whalley (Planning & Building Control Service Head)

Name and role of the officer completing the EA Scoping Report:

Anna McGill, Planning Obligations Officer

## Section 2 – Evidence (Consideration of Data and Information)

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

The Revised Regulation 123 List sets out the relevant infrastructure types the Council intends will be, or may be, wholly or partly funded by the Community Infrastructure Levy (CIL). The Revised Planning Obligations SPD is a tool for negotiating contributions to mitigate any negative site-specific impacts of development. The Revision is required because some of the impacts of development on the borough’s infrastructure (such as education, health, open space and transport needs) will now be mitigated through a locally set Community Infrastructure Levy. CIL regulations do not allow the Council to collect both CIL and S106 for expenditure on the same infrastructure items. Following the adoption of CIL it will no longer be possible to negotiate S106 Planning Obligations using the adopted Planning Obligations SPD and therefore a revised SPD, with a narrower focus, is required. The adopted Planning Obligations SPD passed through a period of consultation and Cabinet approvals prior to adoption and included an Equalities Analysis. The adopted SPD was not considered to have any negative impacts on any particular equalities groups.

## Section 3 – Assessing the Impacts on the 9 Groups

**How will what you’re proposal impact upon the nine Protected Characteristics?**

For the nine protected characteristics detailed in the table below please consider:-

- **What is the equality profile of service users or beneficiaries that will or are likely to be affected?**

The resident population of London Borough of Tower Hamlets is estimated to be approximately 254,100 in 2011 according to the census. In respect of the protected characteristics detailed in the Equalities Act 2012, the information below, sourced from 2011 census and GLA's population projections data, provide general information of equality profiles for various groups that will or likely to be affected by the LBTH CIL.

#### Population

The 2011 census showed that Tower Hamlets has had the fastest growing population of any Local Authority in the country over the last 10 years. At 254,100 usual residents, the population has increased by 29% since 2001 (57,990 additional residents).

#### Age

The main driver of the growth since the 2001 Census has been in the working age population (aged 20 to 64). Residents in the 20 to 64 age group have increased from 122,070 in 2001 to 176,400 in 2011, an increase of over 44.5% (54,330 residents).

#### Race

More than two thirds (69 per cent) of the borough's population belong to minority ethnic groups (ie not White British): 55 per cent belong to BME (Black and Minority Ethnic) groups and a further 14 per cent are from White minority groups.

The borough's three largest groups are the Bangladeshi (32 per cent), White British (31 per Cent) and 'Other White' populations. Considered together, people from these three ethnic groups make up around three-quarters of the Tower Hamlets population.

A number of other ethnic groups in the borough, though smaller in population size, have also seen quite fast growth (relative to the overall growth rate for the borough of 30 per cent). The following groups have more than doubled in size: Mixed ethnic groups (+113 per cent); Indian (+126 per cent); Chinese (+127 per cent); Other Asian (+227 per cent) and Black Other (+312 per cent).

#### Religion or Belief

The Borough's largest faith groups are Muslim and Christian. The 2011 census shows that 34.5 per cent of residents identified themselves as Muslims and 27.1 per cent residents identified themselves as Christian.

There have been significant changes in the faith composition of the population over the last ten years. Most notably, there has been a decline in the number of Christians and an increase in the number of people reporting no religion at all. These trends have been evident both locally and nationally.

#### Disability

By August 2010, there were more than 10,000 claimants of disability living allowance in Tower Hamlets. 52 per cent were male and 48 per cent were female. Among them, over 7,000 people had claimed disability living allowance for 5 years and over. People between the ages of 25-49 accounted for the highest number of claimants of disability living allowance.

Disabled people often face significant employment barriers; only one third population of this group are in employment, this compares against almost two thirds of non-disabled people of the same age profile.

#### Gender Reassignment

The Council does not have demographic information on gender reassignment. However, this group of people are taken to be represented in Tower Hamlets population.

### Gender

The 2011 Census shows that the population of Tower Hamlets is 51.5 % men and 48.5 % women - a gender ratio of 106 male residents per 100 female residents. There are some significant imbalances in specific age bands – with the greatest imbalance in the 40-44 age range, where it reaches 132 males for every 100 females and is significantly different from London and National averages.

### Sexual Orientation

The Council does not have demographic information on sexual orientation. However, this group of people are taken to be represented in Tower Hamlets population.

### Marriage and Civil Partnerships

At the time of the 2011 Census, there were more single persons (aged 16 and over) than married/re-married persons living in the Tower Hamlets, which was about 34.6% against 23.7%.

### Pregnancy and Maternity

From January to December 2010, the total birth in Tower Hamlets was about 4,600. Over 50 per cent were males and about 48 per cent were females.

### Socio Economic

There has been a rapid population growth in Tower Hamlets in recent years. This trend is expected to continue over the next 15 years. As a result of this growth, there is a pressing need to improve the provision of local infrastructure, which can help enhance people's quality of life in the Borough. Accessing affordable housing and the job market are the two main issues in Tower Hamlets.

## • **What qualitative or quantitative data do we have?**

1. A profile of the Tower Hamlets Population (2010)
2. Census 2011 Briefings
3. Population – key facts research briefing (2011)
4. Infrastructure Delivery Plan (2009) and updated report (2011)
5. Tower Hamlets Planning for population change and growth: capacity assessment baseline report (2009)
6. Equalities Analysis for London Borough of Tower Hamlet's Development Plan Documents (2011)
7. Sustainability Appraisal for London Borough of Tower Hamlet's Development Plan Documents (2011)
8. Planning Obligations Supplementary Planning Document (2012)
9. Consultation and engagement reports for London Borough of Tower Hamlets' Development Plan Documents, Local Development Framework (2011)
10. Tower Hamlets Local Development Framework Annual Monitoring Report (2011)
11. Strategic Housing Market and Needs Assessment (2009)
12. Planning for a healthier urban environment in Tower Hamlets (2011)
13. Tower Hamlet's Parking stress study (2011)
14. Managing Travellers' Accommodation (2011)

15. London Borough of Tower Hamlets - London Heat Map Study ( 2011)
16. Tower Hamlets Green Grid Strategy (2010)
17. The Cycling Plan for Tower Hamlets (2009)
18. Tower Hamlets Strategic flood risk assessment (2012)
19. Tower Hamlets Primary school site selection and summary table (2012)
20. Tower Hamlet's Transport Planning Strategy 2011 – 2031 (2011)
21. Tower Hamlets Public transport capacity assessment (2006)
22. The walking plan for Tower Hamlets 2011-2021 (2011)
23. London Borough of Tower Hamlets Waste evidence base report update (2011)
24. Multi-faith burial site for Tower Hamlets – Criteria for site identification (2009)
25. Character area assessments (2006)

- **Equalities impact on staff**

The development of the Revised Planning Obligations SPD is a process which involves other teams across directorates. The SPD itself does not have a direct impact on staff but improved infrastructure as a result of Planning Obligations will affect staff in the same way as other residents and employees in the borough.

- **Barriers**

Communication – Many local residents in the Tower Hamlets are from BME groups. English may not be their first language. This may cause difficulty to understand the Revised Planning Obligations SPD and how it may impact their lives. Any consultation will be compliant with the Council's Statement of Community Involvement approved in 2009. If requests are received the consultation material can be translated.

- **Recent consultation exercises carried out**

The Revised Planning Obligations SPD has been developed in consultation with key internal stakeholders to ensure any impacts resulting from the revision of the SPD are addressed and, where deleterious, avoided. Within the Council, an Infrastructure Planning Steering Group has been set up to discuss infrastructure requirements, costs and funding sources for the Borough on a quarterly basis. Discussions have also been held with the Mayor of Tower Hamlets and the Lead Members for Housing and Resources on the proposed approach to the continued use of S106 and CIL.

The Revised Planning Obligations SPD along with the SEA and EQIA was first consulted on in October 2013. No negative impact have been identified or contested in both the EQIA and SEA at public consultation.

Following approval by Cabinet, the Council will submit the Revised Planning Obligations SPD to a five week period of consultation, in accordance with the approach outlined in the Statement of Community Involvement.

- **Additional factors which may influence disproportionate or adverse impact?**

The Planning Obligations SPD provides guidance on when the Council is likely to secure site mitigation measures through a S106 agreement to make a development acceptable. The Council's proposed use of S106 agreements is in line with national, regional, and local planning policy. In all instances where a S106 agreement is sought the objective is to mitigate site-specific negative impacts of development. The Revised Planning Obligations SPD will therefore not have any disproportionate impacts upon any group as all measures are universally positive. Failure to adopt a Revised Planning Obligations SPD may, however, have disproportionate and adverse impacts on some of the borough's residents because some adverse impacts of development may not be appropriately mitigated.

- **The Process of Service Delivery**

Securing site-specific development mitigation through S106 will assist service delivery in helping the Council achieve its major objectives including ensuring Tower Hamlets is a Great Place to Live.

Target Groups	Impact – Positive or Adverse  What impact will the proposal have on specific groups of service users or staff?	Reason(s) <ul style="list-style-type: none"> <li>• Please add a narrative to justify your claims around impacts and,</li> <li>• Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making</li> </ul> <p>Please also how the proposal will promote the three One Tower Hamlets objectives?</p> <ul style="list-style-type: none"> <li>-Reducing inequalities</li> <li>-Ensuring strong community cohesion</li> <li>-Strengthening community leadership</li> </ul>
Race	Neutral	<p>The BME groups are expected to continue to rise over the next 15 years in the Borough. Within this group, unemployment levels are generally higher than the national average.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is predominantly a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. However, some developments will be expected to make a contribution towards local employment and enterprise, which will benefit residents of all ethnicities. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p> <p>Evidence from the 2011 Census showed that BME residents were more likely to be in need of social housing and living in overcrowded households. S106 agreements will continue to be used to secure affordable housing which will have a positive outcome to residents in need of social housing, regardless of need.</p>
Disability	Neutral	<p>People with disabilities face significant employment barriers, as disabled people are three times more likely to be unemployed than people with no disabilities.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is predominantly a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. However, some developments will be expected to make a contribution towards affordable housing, wheelchair access, local employment and enterprise, transport, public realm, public access and environmental sustainability which will benefit all residents and is particularly important for people in this equalities group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>
Gender	Neutral	<p>The 2011 census figures show that the number of men outnumbers females significantly within the 35-54 age groups in the Borough. Women outnumber men among the 20-24 age group, and again in the 65 – 69 age</p>

		<p>group.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>
Gender Reassignment	Neutral	<p>The targeted group is taken into consideration as part of the profile of the Tower Hamlets population, although the data is unavailable at this stage.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>
Sexual Orientation	Neutral	<p>The targeted group is taken into consideration as part of the profile of the Tower Hamlets population, although the data is unavailable at this stage.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>
Religion or Belief	Neutral	<p>Residents in Tower Hamlets profess a wide range of faiths. Significantly represented faiths include Islam and Christianity, however many other religious, and non-religious, belief systems are represented across the borough.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>
Age	Neutral	<p>The older age group is expected to increase the most over the next fifteen years in the Tower Hamlets as is the peak of residents currently in their late twenties and early thirties. Working age residents (aged 16 to 64) make up 74.1% of the usually resident population in Tower Hamlets.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is predominantly a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. However, some developments will be expected to make a contribution towards affordable housing, wheelchair access, local employment and enterprise, transport, public realm, public access, play space and environmental sustainability which will benefit all residents and is particularly important for people in this equalities group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106</p>

		Agreement would be appropriate for a specific development.
Marriage and Civil Partnerships.	Neutral	<p>At the time of the 2011 Census, there were more single persons (aged 16 and over) than married/re-married persons living in the Tower Hamlets, which was about 34.6% against 23.7%.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>
Pregnancy and Maternity	Neutral	<p>The targeted group is taken into consideration as part of the profile of the Tower Hamlets population.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is predominantly a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. However, some developments will be expected to make a contribution towards affordable housing, wheelchair access, transport, public realm, public access, play space and environmental sustainability which will benefit all residents and is particularly important for people in this equalities group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>
Other Socio-economic Carers	N/A	N/A

## Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence of or view that suggests that different equality or other protected groups (inc' staff) could have a disproportionately high/low take up of the new proposal?

No

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added/removed?

*(Please note – a key part of the EA Scoping Report process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. An EA Scoping Report is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)*

## Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes

How will the monitoring systems further assess the impact on the equality target groups?

The EqIA will be reviewed annually to assess impact of equality target groups of the Revised Planning Obligations SPD

Does the policy/function comply with equalities legislation?  
(Please consider the OTH objectives and Public Sector Equality Duty criteria)

Yes

If there are gaps in information or areas for further improvement, please list them below:

How will the results of this Equality Analysis feed into the performance planning process?

The results of this EA Scoping Report will be used to ensure that:

1. The Council is clear on any future use of S106 Planning Obligations
2. The Revised Planning Obligations SPD is consulted again on for a period of five weeks prior to adoption.

## Section 6 - Action Plan

As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
<ul style="list-style-type: none"> <li>The local community, key stakeholders are consulted appropriately as required by the Statement of Community Involvement and Government legislation</li> </ul>	Undertake further 5 weeks consultation	April - May 2015	Planning Obligations Officer	Consultation to begin following approval from the Mayor in Cabinet

## Section 7 – Sign Off and Publication

<b>Name:</b> (signed off)	Matthew Pullen
<b>Position:</b>	Infrastructure Planning Team Leader
<b>Date signed off:</b> (approved)	