

APPENDIX 6:

EQUALITY ANALYSIS CHECKLIST

EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

<p>Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)</p>	<p>Adoption of the of the revised Conservation Appraisals for Driffield Road and Medway Conservation Areas enabling roof extensions</p>
<p>Directorate / Service</p>	<p>Development and Renewal Strategic Planning – Place Shaping Team</p>
<p>Lead Officer</p>	<p>Sripriya Sudhakar – Team Leader (Place Shaping)</p>
<p>Signed Off By (inc date)</p>	
<p>Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)</p>	<p> Proceed with implementation</p> <p>The general appraisals and management guidelines are directed toward the built fabric and will equally affect the community who live within it irrespective of their characteristics; however based upon the findings of the QA checklist a risk of unintentional but indirect discrimination with reference to the Public Sector Equality Duty (part of the Equality Act 2010) was identified.</p> <p>In respect of the revisions that provide general updates to the character appraisals and management guidelines to allow for better management of the conservation area, the policies are addressed at the built fabric and will affect the community who live within it irrespective of their characteristics.</p> <p>If the more flexible approach to mansard roofs being considered was taken forward, there are potential positive advantages to those living within the Driffield Road and Medway Conservation Areas (including those with protected characteristics). These would not be extended to those with protected characteristics in other conservation areas (who could potentially benefit from such a policy to a greater degree or for different reasons than the general public). This is on the basis that the potential benefits generated from roof extensions in conservation areas other than Driffield and Medway would be</p>

considered as of less value when compared against their potential harm to heritage assets without conducting further area specific assessments, thus residents of other conservation areas are disadvantaged and less likely to receive the positive benefits identified in this checklist. As such there is a risk of discrimination against people with protected characteristics who live in conservation areas which will not benefit from the policy (albeit the discrimination would also apply to some degree to those without protected characteristics in other conservation areas as well).

However, whilst they would not be in as favourable policy position, they would still be capable of applying for planning permission for mansards and any equality considerations which supported the need for the development would need to be considered on a case by case basis by the Council

The policy may result in significant harm to designated heritage assets, Medway and Driffield Road Conservation Areas; and would therefore fail to comply with policies SP10, SP12 and DM27 of the local plan and Goals 1, 2, 6 of the Conservation Strategy. Potential public benefits could address the leading objective of the One Vision for Tower Hamlets, Policy SP06 of the Borough's Core Strategy; Goals 3 and 5 of the Conservation Strategy.

It is worth noting that the way in which the Council could seek to secure some of the public benefits that have been identified as possible through a package approach, which might go some way to offsetting the identified harm to the conservation area, has not been fully developed or consulted on. Further work is required if some of these potential public benefits are to be secured in order to fully explore the options and consult on the same. However, this is not considered to have any particular additional relevance to equalities.

The mansard roof policy (if adopted) will result in unconditional private benefit of property value uplift in Driffield and Medway Conservation Areas which would also benefit those with protected characteristics. These benefits would also extend to all those within the conservation areas Driffield Road and Medway Conservation Areas but would not be extended to those in other conservation areas.

On the information available it is not considered that a full EA needs to be undertaken. Whilst the new more flexible approach to mansard roofs being considered has some limited potential to have a positive impact on those with

	<p>protected characteristics living within the Driffield Road and Medway conservation areas these are not considered to be far reaching and there will also be benefits to all those living within these areas, when compared to those living within other conservation areas. On this basis the impacts are considered indirect and an unintended consequence of the change in policy. For those living in other conservation areas, the status quo would be retained and they will be no worse off than they currently are.</p> <p>In order to assess the extent of any positive or negative equality impacts the Council can:</p> <ol style="list-style-type: none"> 1. Set a 5 year monitoring period for the policy implementation in the pilot areas to identify the number and quality of extensions constructed; quantify the public benefits generated in due course. As part of this the Council could seek to assess the positive and negative impacts on those with protected characteristics (although it is recognised below that obtaining the information on this final aspect could be difficult).
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Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	YES	<p>The Council has in place a Conservation Strategy and the Strategy is aligned with the Borough's Core Strategy 2025. The Conservation Strategy contributes to the key priorities of the Tower Hamlets Community Plan 2020. The proposal would have negative impact on significance of heritage assets and therefore would fail to address the following policies of the Local Development Framework :</p> <ul style="list-style-type: none"> - SO22 of the Borough's Core Strategy - SP10, point 2 of the Borough's Core Strategy <p><i>Protect and enhance the following heritage assets and their settings:</i> (...)</p>

Conservation Areas

(...)

Other buildings and areas that are identified through the Conservation Area Character Appraisals and Management Guidelines

- *SP12 (b) of the Borough's Core Strategy
Improve, enhance and develop a network of sustainable, connected, well-designed places across the borough through:
(...)
b) Retaining and respecting the features that contribute to each places' heritage, character and local distinctiveness.*
- *Policy DM27 Heritage and the Historic Environment of the Managing Development Document, in particular paragraph 1: Development will be required to protect and enhance the borough's heritage assets, their setting and their significance as key elements of developing the sense of place of the borough's distinctive 'Places'
and point 27.7 supporting DM27 which clarifies that the Council would not allow additional roof storeys
(...) where they would harm the significance, specifically the appearance and character, of terraces or groups of buildings where the existing roof line is of predominantly uniform character (...).*

The proposal would also compromise on addressing the following goals of the Conservation Strategy:

- Strategy Goal 1: Understanding the significance of the heritage;
- Strategy Goal 2: Increasing community pride, ownership and involvement in heritage to promote community cohesion
- Strategy Goal 6: Ensuring Effective Protection of the Heritage

The policy on mansard roofs being considered would (if adopted) accept the potential harm to the special character of Driffield and Medway conservation areas. Albeit the following potential public benefits were identified which could offset harm to heritage significance to some degree:

1. Support social cohesion by enabling families to grow into their homes and not have to move. This has potential to lead to a

			<p>less transient population, and help people in creating local ties and therefore strengthen community cohesion. However, given the profiling of the types of properties and the number of properties which are owner occupied, there is uncertainty how far these benefits will extend and the resulting social cohesion should not be overstated as a benefit. There is also no guarantee that allowing mansards will lead to those who take advantage of the policy staying in their property long term. The policies have the potential to lead to larger properties within the conservation area, however it must be noted that the changes could also lead to more applications to subdivide properties within the two conservation areas.</p> <p>Social cohesion lies in the heart of the Borough's development framework. <i>The One Tower Hamlets vision is to reduce inequality, promote community cohesion and enable community engagement and leadership by giving people the tools and support to improve their lives.</i></p> <p>2. If a packaged approach was adopted, lead to façade improvements which will itself lead to the improvements in the appearance of the conservation areas.</p> <p><i>Conservation Strategy Goal Strategy Goal 3: Ensuring effective governance and management of the heritage</i> <i>Conservation Strategy Strategy Goal 5: Improving the condition of the heritage</i></p> <p>3. Create/support jobs through the construction of the mansards.</p> <p>Core Strategy SP06 (1c)</p> <p>1. <i>Seek to maximise and deliver investment and job creation in the borough, by:</i></p> <p>(...)</p> <p>c) <i>Ensuring job opportunities are provided in each place in, and at the edge of, town centres.</i></p> <p>In respect of (2) above some public benefits could be secured if a package approach was taken in order to secure (a) works to address issues arising in respect of the dwelling concerned (and its current contribution to the character & appearance of the CA concerned) and (b) some limited off-site contribution which allowed for monitoring of the conservation area and other general</p>
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			<p>improvements. Therefore whilst the development of mansards in isolation would be harmful to the character of the conservation areas for some considerable time the requirements in respect of (a) & (b) above would, at least, mitigate that harm to some degree.</p> <p>All properties suitable for a mansard roof extension would enjoy unconditional private benefit of a price uplift as a result of a more flexible attitude by the Local Planning Authority to the addition of mansard roofs in these areas (this would be regardless of any protected characteristics). There is potential that there could be additional positive benefits which could flow to those with protected characteristics:</p> <ol style="list-style-type: none">1. The potential for those with disabilities or in their later life to make further adaptations to their homes that might not be possible with a smaller dwellings and potentially more room for a live in carer if this was required.2. Potential for those of some races, religions or beliefs who are more inclined to have larger families or live with extended families to be able to stay in their properties longer by extending their homes. <p>These benefits would not extend to those within other conservation areas. It is clear that any positive/negative impact on equalities would be indirect and an unintended consequence of the policy. It should be noted that there is no bar on those with protected characteristics in other conservation areas applying for planning permission for mansard roofs and if applicable the Council would be required to take on board any equality impacts in taking the individual decision. They would, however, not be in the same policy position as those within the conservation areas where the policy was more permissive, and a decision would need to be taken on a case by case basis which would include an individual assessment of the impact of the development on the appearance of the conservation area.</p>
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b	<p>Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)?</p> <p>Is there information about the equality profile of those affected?</p>	<p>YES</p> <p>NO</p>	<p>The potential implications of the policy are clear both in respect of the revised character appraisals and guidelines and the flexible approach to mansard roofs. The application of the policy is dependent upon the built fabric, and historic environment rather than upon the characteristics of the community who live within it.</p> <p>Under the Equality Act 2010 the protected characteristics are: age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or beliefs, and sexual orientation.</p> <p>No accurate equality profiling of those that might be affected has been possible because the conservation areas cross the ward boundaries for which census data is available. As part of the consultation process the Council sent equality monitoring forms to those consulted to request information to assist in obtaining the necessary data (and this was also on line), however, none of these monitoring forms were returned.</p>
2 Monitoring / Collecting Evidence / Data and Consultation			
a	<p>Is there reliable qualitative and quantitative data to support claims made about impacts?</p>	<p>NO-quantitative data</p> <p>YES-qualitative data</p>	<p>As above – there is a lack of profiling or information received in response to the consultation on the exact ways/the extent to which the refusal or approval of a more permissive approach to mansards could impact on those with protected characteristics. Because of the nature of the policy it is clear however, that a more permissive approach may bring benefits to those within the conservation areas concerned which wouldn't be secured if the status quo remains. These have been addressed above.</p> <p>The documents to which may be adopted apply specifically to 2 Conservation Areas: Medway and Driffield. They include:</p> <ol style="list-style-type: none"> 1. Revised Character Appraisal and Management Plan for Driffield Road Conservation area 2. Revised Character Appraisals and Management Plan for Medway Conservation Area.

			<p>The report to Cabinet is supported by:-</p> <ul style="list-style-type: none"> • Summary of Consultation Responses • Methodology for Assessing Harm • Assessment Report - Harm v Public Benefit • Property type and tenure- Driffield Road and Medway <p>They are based on:</p> <ul style="list-style-type: none"> - a survey of the existing fabric with regard to the existing form of roofs and rear extensions; - design work developing options for new extensions with minimum impact on the special character; - an assessment of harm to heritage assets; - an desk top study of public benefits generated by the policy - a series of public consultations conducted by officers.
b	Is there sufficient evidence of local/regional/national research that can inform the analysis?	NO	<p>So far as assessing any impact on the protected characteristics (as set out above) it has been difficult to obtain accurate profiling to inform the analysis. The same is true of any regional or national research. The Council are not aware of any other research or monitoring that has been carried out regionally or nationally in respect of the positive or negative impacts on equalities linked with a permissive approach to mansards.</p> <p>National policy supports the appraisal of conservation areas and the protection and enhancement of their special character and appearance. The London Plan, and the Tower Hamlets Local Plan identify the protection of the historic environment as a goal. The Borough's Conservation Strategy helps to make Tower Hamlets a great place to live, by managing and sustaining the heritage, and thereby reinforcing the distinctive identity and unique sense of place of the Borough.</p>
c	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	YES	<p>The proposals were constructed by conservation officers with expertise in the assessment of the historic environment; supported by external experts specialising in architectural design in a heritage context. Officers sought responses on the equality profile of those responding to consultation, however no responses were received. Policy officers did contact the team who hold the</p>

			census data for the wards, however following discussions it was felt that because the conservation areas crossed ward boundaries and were only parts of wards, any profiling based on wards would not be an accurate basis on which to carry out the analysis.
d	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	YES	<p>Detailed information about the proposal was published on Council's website with clear instructions about the ways feedback could be provided. As identified equality profiling information was sought.</p> <p>Letters were sent to all households within the identified conservation areas and to key stakeholders alerting them to the proposals setting out where more information could be found, officers could be contacted and meetings attended.</p> <p>Three meetings were held in the afternoons and evenings at accessible venues. Information about the proposals and where to find additional information was also advertised in the paper and on the Councils website.</p>
3	Assessing Impact and Analysis		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	NO	<p>The general policy is directed toward the protection of the built fabric and is dependent upon the quality of the townscape, rather than upon the characteristics of the community who live within it. However in respect of a flexible approach to mansard roofs, public benefits generated favour needs of families: couples, children, elderly, including disabled.</p> <p>As above, there is a lack of evidence as to how extensive any impact might be (in terms of the number of people with a protected characteristic which might benefit from the policy), however if a permissive approach is taken it is expected that the impact of the policy would be an indirect positive one for the people that live within the two conservation areas concerned, which has been addressed above.</p>
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	YES	The potential positive benefits to those with protected characteristics within the two conservation areas directly concerned have been set out above. The proposals are applied according to the character of the built environment, not the

			characteristics of residents; albeit the policy may unintentionally discriminate residents of the other conservation areas in the Borough, including nine protected characteristics. Potential benefits generated from roof extensions in conservation areas other than Driffield and Medway would be considered as of less value when compared against their potential harm to heritage assets without conducting further area specific assessments, thus residents of other conservation areas are disadvantaged, including those within protected characteristics (who might benefit to a greater degree or for different reasons than the general public).
4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	YES	The decision to undertake further detailed design guidance to explore further opportunities for mansard roof extensions for family homes in Driffield Road and Medway Conservation Areas was agreed by Cabinet on the 26 July 2016. It is not considered that any mitigation or improvement action plan is necessary in respect of the changes to policy currently being considered. Any impact on equalities would be positive and indirect.
b	Have alternative options been explored	YES	The option to take no action – No change to existing Appraisals – was considered. It was not recommended as the proposed recommendations are strategic, measurable and attainable. Further options exist in terms of approving the revised appraisals outright or in terms of carrying out further work in respect of seeking a package of improvements along with the mansard applications to secure improvements to the appearance of the applicable dwelling within the conservation area, and seeking contributions which would assist in the monitoring of the conservation areas, along with other more general improvements.
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	YES	The implementation of these proposals will be reviewed as part of the review of the Conservation Area Character Appraisals of which they will form a part.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	NO	The Council could set a 5 year monitoring period for the policy implementation in the pilot areas to identify the number and

			quality of extensions constructed; quantify the public benefits generated in due course. As part of this the Council could seek to assess the positive and negative impacts on those with protected characteristics (although it is recognised that obtaining the information on this final aspect could be difficult as there is no obligation on applicants to provide this).
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	YES	

Appendix A

(Sample) Equality Assessment Criteria

Decision	Action	Risk
As a result of performing the QA checklist, it is evident that due regard is not evidenced in the proposal and / or a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the proposal be suspended until further work or analysis is performed – via a the Full Equality Analysis template	Suspend – Further Work Required	Red 
As a result of performing the QA checklist, the policy, project or	Proceed with	Green: 

function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	implementation	
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