

# Equality Impact Assessment Screening Tool

## Section 1: Introduction

Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy or project
Making of Article 4 Direction to remove permitted development right for changes of use from Class E to residential (Class C3)
Service area and Directorate responsible
Planning & Building Control, Place Directorate
Name of completing officer
Marc Acton Fillion
Head of Service
Jennifer Peters

**The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:**

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster good relations between those with 'protected characteristics' and those without them

This Equality Impact Analysis provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above. For more information about the Council's commitment to equality, please visit the Council's [website](#).

## Section 2: Summary of proposal being screened

Describe the proposal including the relevance of proposal to the general equality duties
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and protected characteristics under the Equality Act 2010

The proposal is to make an Article 4 direction that would remove permitted development rights for changes of use from Class E uses to residential (Class C3) uses within designated locations, including all town centres, designated office locations and designated industrial locations. The proposal seeks to ensure that LBTH retains sufficient employment floorspace to meet its future employment needs and that the borough's town centres retain their vibrancy, viability and diversity.

## Section 3: Equality Impact Analysis screening

Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below?  Please consider the impact on overall communities, residents, service users and Council employees.  This should include people of different:	Yes	No	Comments
▪ Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
▪ Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
▪ Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal is likely to have a positive impact on those belonging to a racial or ethnic minority, by ensuring that retail floorspace within town centres is protected and can continue to support shops that meet the needs of the borough's diverse communities.
▪ Religion or Philosophical belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	In protecting retail and other town centre uses within the borough's town centres, the proposal is likely to support businesses that meet the needs of particular religious groups.
▪ Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<ul style="list-style-type: none"> <li>▪ <b>Gender re-assignment status</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>▪ People who have a <b>Disability</b> (physical, learning difficulties, mental health and medical conditions)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal is likely to have a positive impact on those with a disability by protecting designated town centres and neighbourhood parades, which provide shops close to people's homes and in other accessible locations.
<ul style="list-style-type: none"> <li>▪ <b>Marriage and Civil Partnerships status</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>▪ People who are <b>Pregnant</b> and on <b>Maternity</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>You should also consider:</p> <ul style="list-style-type: none"> <li>▪ <b>Parents and Carers</b></li> <li>▪ <b>Socio-economic status</b></li> <li>▪ People with different <b>Gender Identities</b> e.g. Gender fluid, Non-binary etc.</li> <li>▪ Other</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

If you have answered **Yes** to one or more of the groups of people listed above, **a full Equality Impact Analysis is required**. The only exception to this is if you can 'justify' the discrimination (Section 4).

## Section 4: Justifying discrimination

Are all risks of inequalities identified capable of being justified because there is a:	
(i) <i>Genuine Reason</i> for implementation	<input type="checkbox"/>
(ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i>	<input type="checkbox"/>
(iii) There is a <i>Genuine Occupational Requirement</i> for the council to implement this activity	<input type="checkbox"/>

## Section 5: Conclusion

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.
- Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

### Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have answered **YES** to this question, please complete a full Equality Impact Analysis for the proposal

If you have answered **NO** to this question, please detail your reasons in the 'Comments' box below

Comments
<p>The proposal is not likely to have an adverse impact on people with any protected characteristic, or any of the additional characteristics listed above. It is likely to have a positive impact on those belonging to a racial or ethnic minority, specific religious groups and those with a disability.</p> <p>In order for the Article 4 direction to come into force, a statutory consultation is required. Following the approval of the making of the direction, officers will publicise the direction and invite representations for a period of six weeks. Any feedback of responses will be considered and will be presented to the decision-maker when the Article 4 direction is brought forward for confirmation. In order to monitor any equalities impacts, respondents will be requested to provide information on any protected characteristics.</p>