



**Equality Impact Assessment Form (updated April 2011)**

- This is where you evidence how a policy or practice, or a decision relating to a policy or practice, complies with the general equality duty to:
- Eliminate unlawful discrimination, harassment and victimisation
  - Advance equality of opportunity
  - Foster good relations

This form is intended to guide and prompt you about the questions and evidence that you need to think about. As indicated in the guidance, this assessment takes into consideration each of the "protected characteristics" listed in the Equality Act 2010 – race, age, gender etc. This assessment should be used to inform any relevant decision about the policy or practice. Please state policy options in the assessment.

<b>Service Area:</b> Development Management (Regeneration and Regulatory services)	<b>Head of Service:</b> Susan Bolter	<b>Person responsible for the          assessment:</b> Stephen Williams	<b>Date of Assessment</b> 12 <sup>th</sup> November 2012	
<b>Name of the policy/practice to be assessed:</b> Planning application process				
<b>1. Briefly describe the          purpose of the policy/practice</b>	The regulation and management of the development and use of land in a way that contributes to the achievement of sustainable development by the processing and determination of applications for planning permission, Listed Building Consent, works to protected trees and other related applications.			
<b>If the policy/practice is under          review, please list any options</b>	Existing			

<p><b>2. Name any associated policy, legislation, corporate objective etc.</b></p>	<p><b>Legislation</b>  Town and Country Planning Act 1990 (as amended), Planning and Compensation Act 2004, Planning and Compulsory Purchase Act 2008, Town and Country Planning (Development Management Procedure) Order (Wales) 2012, Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Planning (Hazardous Substances) Act 1990, Environmental Impact Assessment Regulations 1999 (as amended), Town and Country Planning (General Permitted Development) Order 1995 (as amended), Town and Country (Control of Advertisements) Regulations 1987, Local Government (Miscellaneous Provisions) Act 1976 (and any re-enactment of any of the foregoing) and any regulations or orders made thereunder, Crime and Disorder Act 1998, Equalities Act 2010</p> <p><b>Policy</b>  Planning Policy Wales Edition 5, Technical Advice Notes, Newport Unitary Development Plan 1996-2011 Adopted Plan May 2006, adopted Supplementary Planning Guidance notes</p> <p><b>Corporate objectives</b>  Community Strategy, 'Standing up for Newport' Corporate Plan, Improvement Plan, People Plan, Service Plan, Business Unit Plan</p>
<p><b>3. Who are the main stakeholders in relation to the policy/practice?</b></p>	<p>Applicants and developers  Agents  Neighbours / third parties  General members of the public  Ward Members  Community Councils  Internal service area consultees  External consultees (statutory and non-statutory)</p>
<p><b>4. Who performs the service?</b></p>	<p>Planning Committee (and Sub Committee)  Head of Regeneration and Regulatory Services (who holds delegated powers)  Development Management Team (which consists of Development Services Manager, two area teams of planning officers and a technical support team)  Democratic Services</p>

<p><b>5. What outcomes are wanted from this policy/practice?</b></p>	<p>According to the Development Services Business Unit Plan, the key outcomes are:</p> <ul style="list-style-type: none"> <li>- Facilitating and shaping the regeneration of Newport by making sound, timely and robust decisions;</li> <li>- Creation of vibrant, safe, accessible and sustainable communities by enabling high quality, sustainable development in the right locations and resisting poor quality or inappropriately located development</li> <li>- The preservation and enhancement of the best of Newport's historic and natural environment</li> <li>- Securing appropriate developer contributions to meet the infrastructure needs of new development;</li> <li>- Delivering excellent customer service.</li> </ul> <p>In accordance with the Improvement Plan, the Service should ensure democracy and transparency in its decision making</p>
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<p><b>6. What factors could contribute to/detract from the outcomes (risks/opportunities)?</b></p>	<p><b>Risks</b></p> <ul style="list-style-type: none"> <li>- Decisions over turned at appeal or subject to legal challenge</li> <li>- inadequate level and quality of information resulting in complaints to Local Government Ombudsman</li> <li>- inadequate resources including IT resources</li> <li>- inadequate staff resources / experience / morale</li> <li>- inadequate communication with stakeholders</li> <li>- Failure to keep abreast with changes in planning policy and legislation</li> <li>- inadequate / untimely responses from consultees</li> <li>- impact of local politics on decision making</li> <li>- Decisions based on local opinion that cannot be substantiated at appeal</li> </ul> <p><b>Opportunities</b></p> <ul style="list-style-type: none"> <li>- Utilising the validation procedure and powers under the 2012 Development Management Procedure to secure good quality plans and supporting information</li> <li>- Keeping planning policies up to date</li> <li>- Encouraging use of pre-application advice procedures</li> <li>- Clear and consistent use of consultation policy</li> <li>- Strong delegated powers</li> <li>- Officer and member training</li> <li>- Agent's forum</li> </ul>
<p><b>7. Describe the steps you have taken to carry out this assessment e.g. consultation and involvement</b></p>	<p>Set up a group meeting with representatives of a variety of roles and levels within the team (an area manager, principal planning officer, senior planning officer, planning officer, technical support officer)          Equalities data is collected from applicants / agents and third parties (such as neighbours) by way of a questionnaire issued following a planning decision.</p>

<p><b>8. Give a summary of the information the council has taken into account for this assessment</b></p>	<p>It is recognised that there are issues which may potentially impact on accessibility and therefore delivery of the service:</p> <p>The large amount of varied languages that are spoken in the local area would make it difficult to translate documents into every language used in the area. However, where requested, the ability to translate a letter into a different language should be made clear where possible. Officers can provide assistance where necessary (for example helping filling in planning application forms) where the customer cannot read or write.</p>
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9. Does the policy /practice eliminate discrimination and promote equality and good community relations due to:

- Age
- Gender
- Disability
- Race
- Religion/belief
- Welsh language
- Gender reassignment
- Marriage/civil partnership
- Sexual orientation

**Age** Older people may be less mobile with increased difficulty in visiting the Information Station to view plans and obtain advice. This is mitigated due to the availability of plans / information on the Council's website. Older people and less affluent younger people may not have access to the internet. However, if requested, the case officer can send out copies of plans at no charge or make a personal visit in relevant circumstances. Planning is concerned with land rather than the occupier, but has potential to positively impact on people e.g. On older people by encouraging sustainable located development or providing public transport and on young people by securing improvements to leisure and education facilities as part of a Section 106 agreement.

**Gender** No obvious barriers to accessing the service. No evidence of complaints or officers being advised that the service has a differential impact on males or females.

**Disability** Duty planning officers are available three days a week at the Information Station, which is accessible to the disabled. The Civic Centre and the Council Chamber is accessible via a lift. Council meeting rooms have hearing loops installed. The Council's website has been designed to allow the text size and font to be altered to assist people with visual impairment. Customers are visited at home where applicable. Statutory planning fees allow for exemptions for proposals to adapt a house to enable the disabled occupant to continue to reside there or improve their quality of life.

The planning system can positively impact on disabled people. Certain applications are required by law to be accompanied by Access / Design and Access Statements which inform on access implications. Newport Access Group is consulted on these applications to help assess implications for disabled people. The Council has a SPG on Accessibility Design Guide and Car Parking Guidelines which provide guidance in relation to disabled access issues. The developer can be required to provide improvements e.g. ensuring a ramped / level access into a building, which can be secured by planning condition. Public transport improvements also benefit disabled people.

**Race** The Council's website allows free automated translation services enabling the website to be viewed in 13 different languages. However, application forms, guidance notes and local policy documents are only provided in English and Welsh. Neighbour letters are sent out in English and representations are required in written form.

Planning applications in relation to gypsy and traveller sites are assessed with regard to the Circular 30/2007. The Royal Town Planning Institute has a Code of Professional Conduct which requires members to promote equality of opportunity and prohibit discrimination. It also has an advice note entitled 'Planning authorities and racist representations' which gives advice on how to deal with racist comments.

**Religion/belief** The timing of officer site visits given consideration e.g. by avoiding visiting a Mosque during Friday prayers. The religious context of a proposal should have no impact on decision making.

**Welsh language** The Council's website allows free automated translation services enabling the website to be viewed in Welsh. The Planning Portal can be viewed in Welsh and applications can be submitted either via the Portal or by using the forms on the Council's website in the medium of Welsh. However, local planning policy documents have not been translated into Welsh.

**Gender reassignment / Marriage/civil partnership / Sexual orientation** No obvious barriers to accessing the service. No evidence of complaints or officers being advised that the service has a differential impact on these groups.

**10. Summary of the impact of the policy/practice on the general equality duty**

**Age** Any impact particularly on the elderly can be catered for by existing working practices.  
**Gender** No impact.  
**Disability** The planning system has a positive impact on disability with policies and procedures in place to take these matters into account.  
**Race** Council documentation and forms are either in English or Welsh with no documentation available in languages of ethnic minority groups. The planning process is very dependant on the written method of communication which may impact unfairly upon groups that are unable to read or write in English or are illiterate. There is therefore the potential for certain ethnic groups to suffer language barrier issues.  
**Religion/belief** The timing of officer site visits given consideration e.g. by avoiding visiting a Mosque during Friday prayers.  
**Welsh language** Access to Council documents is not always available in Welsh.  
**Gender reassignment** No impact  
**Marriage/civil partnership** No impact  
**Sexual orientation** No impact

<b>Equality Action Plan –</b>	<b>Actions (with dates) Any associated performance measures</b>	<b>Lead Officer(s)</b>
<b>Key Actions</b> Further actions to eliminate discrimination, promote equality and good community relations on the grounds of:-		
<p><b>Age</b> – continue existing work practices whereby officers provide assistance (sending out plans / site visits) where necessary.</p> <p><b>Gender</b> – none applicable.</p> <p><b>Disability</b> – continue existing work practices whereby officers provide assistance (sending out plans / site visits) where necessary.</p> <p><b>Race</b> - Monitor requests for alternative language versions of correspondence, guidance notes and documents. Continue to provide assistance to gypsy / travellers in submitting planning applications as necessary. Return racist comments and refuse to take such comments into account.</p> <p><b>Religion/belief</b> – The timing of officer site visits given consideration e.g. by avoiding visiting a Mosque during Friday prayers..</p> <p><b>Welsh Language</b> – Monitor requests for alternative language versions of correspondence, guidance notes and documents.</p> <p><b>Gender reassignment</b> – none applicable.</p> <p><b>Marriage/civil partnership</b> – none applicable.</p> <p><b>Sexual orientation</b> – none</p>	<p>Ongoing from January 2013 and keep record of such requests and action taken and provide report as part of annual review.</p> <p>Ongoing from January 2013 and keep record of such requests and action taken and provide report as part of annual review.</p> <p>Ongoing from January 2013 and keep record of such requests and action taken and provide report as part of annual review.</p>	<p>Area Planning Managers</p> <p>Area Planning Managers</p> <p>Area Planning Managers</p>



<p>applicable.</p>		
<p>If there are decisions pending that will affect this policy/practice please state when and how the decision will be taken</p>	<p>No such decisions pending</p>	
<p>How will the policy/practice be:</p> <ul style="list-style-type: none"> <li>• Monitored</li> <li>• Performance assessed</li> <li>• reported</li> </ul>	<p><b>Monitor</b></p> <ul style="list-style-type: none"> <li>• Create a form in information at Work to enable officers to input details of request and action taken with regard to: <ul style="list-style-type: none"> <li>○ Requests by the elderly or disabled to send out plans or undertake home visits</li> <li>○ Requests to translate documents into languages other than English</li> <li>○ Requests for assistance in submitting planning applications from those who are unable to read or write in English or are illiterate</li> <li>○ Number of letters received containing racist comments and action taken</li> </ul> </li> <li>• Quarterly review of all questionnaires returned.</li> <li>• Team meetings (monthly) with Area Planning Managers to ensure that any complaints or concerns raised are dealt with promptly.</li> </ul> <p><b>Performance Assessed</b></p> <ul style="list-style-type: none"> <li>• 12 month review by Planning Service to report on: <ul style="list-style-type: none"> <li>○ Requests by the elderly or disabled to send out plans or undertake home visits</li> <li>○ Requests to translate documents into languages other than English</li> <li>○ Requests for assistance in submitting planning applications from those who are unable to read or write in English or are illiterate</li> <li>○ Number of letters received containing racist comments and action taken</li> <li>○ Results of quarterly reviews of questionnaires</li> <li>○ Specific complaints or concerns raised by service users and whether these have been addressed.</li> </ul> </li> </ul>	<p>Area Planning Managers</p>
	<p><b>Reported</b></p>	

Does the EIA need to be revisited in 6 months/a year?	An annual report setting out the results of the 12 month review to be reported to the Head of Service	Area Planning Managers
Two years		

Signed (lead officer) W. B. [Signature]

Signed (Head of Service)

[Signature]

Date 25/10/13