

Equalities Impact Assessment

Camden Council

What is an Equality Impact Assessment?

An Equality Impact Assessment (“EIA”) is a way of analysing a proposed organisational policy or decision to assess its effect on people with protected characteristics covered by the Equality Act 2010*. To meet the Council’s statutory duty the EIA should also address issues of advancing opportunities and fostering good relations between different groups in the community.

The Council has a strong tradition of ensuring equality both in terms of service delivery and within its workforce. To help us maintain this tradition it is essential that you start to think about the EIA process before you develop any new activity or make changes to an existing activity. This is because the EIA needs to be integral to service improvement rather than an ‘add-on’. If equality analysis is done at the end of a process it will often be too late for changes to be made.

The courts place significant weight on the existence of some form of documentary evidence of compliance with the Public Sector Equality Duty* when determining judicial review cases. Having an EIA as part of the report which goes to the decision makers and making reference to the EIA within that report helps to demonstrate that we have considered our public sector equality duty and given “due regard” to the effects the decision will have on different groups.

The EIA must be considered at an early stage of the formation of a policy/decision and inform its development, rather than being added on at the end of the process. The EIA form should be completed and updated as the policy / decision progresses and reviewed after the policy or change has been implemented.

If a staff restructure of organisational change is identified as necessary following the review of an activity then an EIA needs to be completed for both stages of the process, i.e. one when the activity is reviewed and one when the restructure or organisational change is undertaken.

Please note all sections must be completed. However the obligation is to have due regard and it may be that while an issue requires the completion of an EIA, the matters at hand may not lend themselves to some of the obligations, for example fostering good relations. As long as this has been properly considered it is legitimate to conclude that this cannot be applied in a particular case.

*Please read the notes at the end of this document.

Name of proposed decision/policy being reviewed:

Draft Camley Street Neighbourhood Plan

Question 1

What is changing and why?

If the issue is going for decision, e.g. at Cabinet meeting, what are the decision makers being asked to decide? If you are reviewing a policy what are its main aims? How will these changes affect people?

[You can use this space to capture your reader's attention with a quote from the document or to emphasise a key point.]

Neighbourhood plans are statutory planning documents prepared by local communities. In Camden, this work is being undertaken by Neighbourhood Forums. Neighbourhood plans provide planning policies relating to the development and use of land in the neighbourhood area, which is formally designated following local consultation. The Camley Street Neighbourhood Forum is now preparing a neighbourhood plan for the Camley Street neighbourhood area.

Neighbourhood plans can address matters not already addressed by existing Council policy or set out additional policy requirements where this is justified by local circumstances and supported by robust evidence. They should take a positive approach in shaping and directing development and should help support strategic planning policies, including those in Camden's Local Plan. The Camley Street Neighbourhood Plan has therefore been prepared taking into account the strategic approach of the adopted Local Plan which was itself also subject to an Equalities Impact Assessment (EqIA).

Neighbourhood Plans are independently examined against a number of tests – or 'Basic Conditions'. If the Examiner concludes that the Plan meets these tests, or would be capable of doing so with modifications, the Plan can proceed to a local referendum. If a majority of residents support the use of a neighbourhood plan in making decisions on planning applications, it will become part of the development plan – the starting point for planning decisions – in the neighbourhood area.

Neighbourhood Forums must undertake consultation on a draft Plan (sometimes referred to as the 'Regulation 14 stage'). The Council has provided advice to the Camley Street Neighbourhood Forum on a number of draft policies and the Forum has undertaken a period of consultation on its draft Plan starting in November 2018 and ending in January 2019. Camden Council submitted a representation which included input from a number of Council services.

Planning policies are wide ranging in nature and can have social, economic and environmental effects. They can be used to protect what is valued about an area, minimise any harmful impacts arising from development and ensure that new development, including changes of use, make a positive contribution to the local area. The planning system exists to ensure that development is in the public interest and contributes to sustainable development. Neighbourhood plans form one element of the 'development plan', alongside Camden's own planning policies (including the adopted Local Plan and Site Allocations document) and the London Plan. Decisions on planning applications are determined in accordance with the development plan, unless material planning considerations indicate otherwise. A proposal's impact on people with protected characteristics can be a material consideration.

Notes to Question 1

- Summarise briefly and precisely just what the decision is about. In particular what changes will happen if this decision is agreed and put into effect? What happens now and what will happen in the future? What will be different?
- **Do not cut and paste the report or policy** but concisely restate it, considering equalities issues directly against the facts
- **Focus on the impacts on people** e.g. the users of any facility or service.

Question 2

Who will be affected by this decision and how?

In particular do those from protected groups benefit or will they experience specific and disproportionate impacts? Will there be any direct or indirect discrimination?

[You can use this space to capture your reader's attention with a quote from the document or to emphasise a key point.]

Planning policies can have disproportionate effects for people with protected characteristics (because of age, a disability, gender reassignment, marriage/civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation). For example, young and older people are likely to spend more time in an area and therefore will receive the greatest benefit from policies seeking to improve the built environment, particularly where this promotes the retention/enhancement of open space and greenery; or addresses issues such as accessibility and inclusion. Planning policies may also influence the type, size, layout and design of housing. They may also help to manage the mix of development within an area or development site. Planning documents, however, could lead to negative outcomes for people with protected characteristics. This can include cases where the needs of protected groups are not properly considered as policies are developed or their wording/structure is such that unintended consequences might arise.

Planning policies can also be used to harness the benefits of growth for local communities. Where development is expected to lead to an increase in an area's population (including working or visitor population), planning obligations can be secured to address this additional demand. This can indirectly provide benefit for the existing local community. Local people can identify and prioritise projects they wish to receive funding from the Community Infrastructure Levy (CIL), a charge applied to most types of development.

The data below considers the composition of Camley Street's resident population, with reference to the Equality Act's protected characteristics. It should be borne in mind that Camley Street also has a significant working population and the household data will provide some indication of its characteristics where people both live and work in the neighbourhood area.

Camley Street neighbourhood area sits within the St Pancras and Somers Town ward. The ward is much larger than Camley Street itself however its demographics provide an indication of how this part of inner London, in proximity to the main rail terminals, compares to Camden, London and national/England benchmarks. We have also looked at data pertaining to Census Output Areas. These do not correspond neatly with the designated area; however, we have identified a 'core area' – i.e. best fit, made up of 4 Output Areas which fall predominantly within the Plan area.

Except where stated otherwise, the Council's data draws on the results of the 2011 Census.

The current resident population of St Pancras and Somers Town ward (mid 2017 estimate) is 17,000 people and has grown faster than the overall population of Camden (at 23.6% compared with 9%), the fastest growth of any ward since 2011. A significant proportion of this is likely to be related to the comprehensive redevelopment of the railway lands at King's Cross (known as the King's Cross Central development).

AGE

The St Pancras and Somers Town ward has a relatively young population profile with a mean age of 32.9 years compared to Camden's overall 36.8 years. It ranks the 2nd youngest in Camden by median age. Children (under 16 year olds) form 18.2% of the population while older people (aged 65+) account for 8.1% of the population. At the time of the 2011 Census, 16.1% of Camden's population was under 16 and 10.9% were over 65. This shows that the ward has a slightly younger population profile than the borough as a whole. The ward age profile is also

slightly younger than London's population. Similar findings are borne out for the Census Output areas. The Census Output area data also showed that the second largest population group was 16-29 year olds – this population was 3% higher than the borough as a whole.

Children and young people are likely to be particularly dependent on good quality spaces (such as parks) to meet, play and socialise. They are also likely to be one of the heaviest users of active forms of travel such as walking and cycling. For the youngest children, their ability to use open space and the public realm is likely to be shaped by the attitudes and availability of time of parents or carers. The needs of children and young people and parents/carers can sometimes be overlooked or not be adequately considered when plans for an area are being developed. It is important that any significant/ major developments include engagement with children and young people living in the area; they may be able to offer perspectives which can improve the way housing/accommodation, facilities and services are offered and function over time. This is also relevant to the area's student population. As with older people, public/community safety may sometimes be an issue and it is therefore important that the public realm is designed to be safe and welcoming.

There is a small elderly population (potentially little more than 100 people in the area are 60 years+), which the evidence suggests is likely to be disproportionately affected by poor health and/or disability. Older people are also widely recognised as being at greater risk from social isolation or exclusion because of the greater proportion of the population that lives alone. It is important that the public realm and local services are designed in such a way that take into account the specific needs of these groups, this includes their perception of public/community safety. Possible mobility, health problems and the likelihood of more limited social contact points to the importance of providing age-friendly services and activities in the area.

ETHNICITY

The ward has significant differences in terms of its ethnic composition compared to Camden or Greater London. Only 34.6% of the population is 'White British' compared with 44% for Camden and 44.9% for Greater London. There is a high Bangladeshi population (15.1% of the total) compared to only 5.7% in Camden and 2.7% for London. The 'Black Caribbean' population was 9.5% but only 4.9% in Camden and 7% for London. The third largest ethnic group was 'White Other' (13.2%) similar to the proportion found in Greater London but much lower than the level found nationally (4.4%). The proportions of 'White British' and other ethnic groups were similar for the Census Output Areas; the top 2 non-UK countries of birth were Bangladesh and Somalia. Particular care needs to be taken in the Plan area to ensure that any new community facilities or services respond to the needs of the ward's minority populations.

Community safety/perception of safety is a particular concern for some Black and Minority Ethnic groups and needs to be considered when public realm schemes are being considered. It is also likely that women belonging to some minority ethnic groups are more likely to be at home during the day and will therefore be disproportionately affected by the quality of the local built environment. Only 1 in 4 Bangladeshi women in England work compared with nearly 3 in 4 White British women. Health status and life expectancy of minority ethnic groups can also vary significantly from the wider/average population reinforced by experience of deprivation. Minority communities nationally tend to be disproportionately concentrated in overcrowded housing meaning improvements in housing conditions and local amenities are likely to provide significant benefit for these groups.

RELIGION

The ward also has significant differences in terms of identification with a religion. 22.3% of the ward's residents stated in the Census that they have 'no religion', this is much lower than Camden (29.1%) and similar to Greater London (20.7%). While the proportion of the population that stated they were 'Christian' was similar at both ward and borough level, there was a much higher proportion of the population that stated 'Muslim' (29.0% compared to 13.8% for Camden).

The population stating 'Jewish' was much lower than Camden (0.4% in the ward compared to 5.1%). This is likely to be relevant to the types of facilities and services that are provided to meet the needs of the local Muslim population. Since the 2011 Census, the ONS has found that 'Religion not stated' in Camden was overstated (equivalent to about 4%), meaning that more people are likely to have a religion. This data has not subsequently been broken down to a local level.

DISABILITY AND HEALTH

The Census found that 18.4% of the ward's population considered that they had a 'Limiting Long-term Illness'. This was higher than comparators at the Borough (14.4%), London (14.2%) and national level (17.9%). It is widely acknowledged that there are links between reported health and wellbeing and socio-economic status. Across a number of dimensions (including health and disability), the Indices of Deprivation (IOD) identify the proportions of people and households experiencing deprivation. The IOD also takes into account levels of income, employment, education, skills and training, access to housing and services, crime and the living environment.

St Pancras and Somers Town is ranked as the most deprived ward in Camden with one Lower layer Super Output Area (LSOA) falling within the 10% most deprived in England and 6 LSOA within the 10-20% most deprived. Department for Work and Pensions data (2016) showed that 8.8% of the working age population in the ward were claiming Employment and Support Allowance / Incapacity Benefits. Employment and Support Allowance is paid to people experiencing illness or disability. 2.3% of the population claimed a carers' allowance. The relatively high levels of deprivation may suggest a particular need to target policies to overcome disadvantages experienced by the local community. There are a number of LSOA that fall partly within the Camley Street neighbourhood area. These show that the LSOA in the northern part of the area are within the 20 to 30% most deprived LSOA (by ranking in England). The mid part of the area is in an area ranked as 10 to 20% most deprived while the southern part of the area is within the 10% most deprived LSOA.

Life expectancy in Camden has been improving over time rising to 81.1 years for males and 86 years for females. However, life expectancy across LB Camden is unequal and St Pancras and Somers Town has the third lowest life expectancy amongst wards – 78.8 years for males and 81.4 years for females.

For the Census Output Areas, the data appears mixed. For example, 86.6% of the population considered that their health was 'Good or Very Good' compared to 84% in Camden and 88.8% considered that their day to day activities were 'not limited' compared to 85.6% in Camden. There was some evidence that there may be barriers to employment in the Census Output areas – 8.9% of households with dependent children had no adults in employment (vs 4.7% for Camden) and 4.8% were economically inactive because of long-term sickness or disability (vs 4.4% for Camden).

People with disabilities will often experience the built environment in different ways to the wider population. If these differences are not adequately considered when developments are being designed, then relative disadvantage and social isolation can be further entrenched. Buildings and spaces need to be legible and easy to navigate, free of physical barriers and appropriately lit. Transport facilities and services need to be planned for ease of use and convenience. Particular care also needs to be taken to provide suitable parking arrangements (car or bike) for disabled users. As with the young and elderly, people with disabilities may participate less than the wider population in public life and as a consequence feel more isolated.

PREGNANCY AND MATERNITY

The proportion of lone parent households was significantly higher in the ward (10.7%) than Camden (6.4%) or London (8.5%). The rate of teenage conceptions was found to have no significant difference to England but relatively higher than Camden or London (source: EM Public

Health Observatory). For the Census Output Areas, 9.5% of households were lone parents with dependent children.

Some of the issues relevant to the young and elderly apply to this protected characteristic. Young / pregnant women are more likely to be present at home and therefore dependent on access to local facilities and services. As highlighted above, parents and carers may also play an enabling role in assisting and supervising young children's use of open space. The quality of the local environment, particularly issues around amenity (noise, air quality etc.) are likely to disproportionately affect this protected group. Flexible working arrangements may mean that young parents may be at home for part of the working week to undertake childcare.

SEXUAL ORIENTATION AND TRANSGENDER

There is limited information available concerning both these groups. Some of the issues are applicable to wider populations discussed above, particularly around community safety and access to safe spaces and facilities. This has been magnified by recent reported increases in hate crime involving LGBT populations. LGBT communities are also more vulnerable to social isolation. This highlights the importance of facilities and spaces which can provide a safe environment in which LGBT communities are able to meet.

Notes to Question 2

- Here use data to show who could be affected by the decision. Consider who uses the service now and might use it in the future. Think about the social mix of the borough and of our workforce.
- If available use profile of service users and potential users / staff by protected groups: (age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation). You could consider the following:
 - Take up of services, by protected group if available;
 - Recommendations from previous inspections or audits;
 - Comparisons with similar activities in other departments, councils or public bodies;
 - Results of any consultation and engagement activities broken down by protected groups (if available) - sources could include, complaints, mystery shopping, survey results, focus groups, meetings with residents;
 - Potential barriers to participation for the different protected groups;
 - National, regional and local sources of research or data – including statutory consultations;
 - Workforce equality data will be provided by your HR change adviser for organisational change / restructure EIAs and
 - For organisational change / restructure EIAs include the results of any consultation or meetings with staff or trade unions.
- **Do not simply repeat borough wide or general service equality data** – be as precise and to the point as possible.
- If there are gaps in equality information for some protected groups identify these in this section of the form and outline any steps you plan to take to fill these gaps. Consider:
 - Any relevant groups who have not yet been consulted or engaged;
 - Whether it is possible to breakdown existing data or consultation results by different protected groups;
 - If you are conducting an organisational change / restructure EIA and there are data gaps consider asking affected staff to update their details on Oracle.
- We are under a legal duty to be properly informed before making a decision. If the relevant data is not available we are under a duty to obtain it and this will often mean some consultation with appropriate groups is required.
- Is there a particular impact on one or more of the protected groups? Who are the groups and what is the impact?
- Consider indirect discrimination (which is a practice, policy or rule which applies to everyone in the same way, but has a worse effect on some groups and causes disadvantage) - for example not allowing part-time work will disadvantage some groups or making people produce a driver's licence for ID purposes.

Question 3

Does the proposed decision have an impact (positive or adverse) on our duty to eliminate discrimination/harassment and victimisation, promote equality of opportunity or foster good relations between different groups in the community (those that share characteristics and those that do not)?

The Draft Camley Street Neighbourhood Plan has policies seeking to safeguard employment floorspace, expand the provision of affordable housing, limit the growth in student housing and provide various forms of infrastructure as development takes place.

This section considers each of the policies in the draft Neighbourhood Plan and identifies whether they are likely to have positive, negative or neutral effects on people with protected characteristics. Where potential positive or negative effects are identified, a short explanation is provided.

Policy CS EM1 Neutral / Positive

The policy relates to the provision of existing employment floorspace for the B1(c) and B8 Use Classes. It seeks to ensure that where (re)development proposals come forward, the impacts on existing business occupiers are successfully managed. It also refers to the rents applicable to new employment floorspace and supports provision of affordable workspace.

It is recognised that finding affordable and suitable space for Small and Medium sized Enterprises (SMEs) in London, including 'start-ups', can be challenging. Without such policy support it is likely this kind of floorspace could be squeezed out of Central London. Locations such as Camley Street on the fringes of the Central London area provide an opportunity to deliver affordable workspace on a viable and sustainable basis. Although SMEs may be established by and employ people of any age, the Camley Street area's location close to major London universities and institutions/businesses forming the 'knowledge quarter' (<https://www.knowledgequarter.london/>) suggests that a significant proportion of future SMEs are likely to employ young people, such as university leavers. The policy may therefore have positive benefits for younger people by supporting the provision of affordable workspace.

Policy CS EM2 Neutral

The policy seeks to address the needs of existing business occupiers when redevelopment proposals are being developed. This particularly applies to businesses where they support the functioning of the Central Activities Zone (CAZ) or have importance to Camden's economy.

Any effects will be dependent on the nature of the businesses involved and their individual role in supporting people with protected characteristics. This detail is not likely to be available until planning applications are submitted.

POLICY CS CSN1 Positive

This policy takes into account the need to develop and enhance community infrastructure provided in the Camley Street area. This will ensure that the impacts of growth – an increase in the resident and working population – are managed successfully and do not lead to unacceptable pressure being placed on services used by the existing population. The Plan, and its supporting consultation has provided evidence that social infrastructure in the Plan area is currently quite limited. This policy could be enhanced further by reference in the supporting text of how investment in local infrastructure might help to support people with protected characteristics. For example, it should be designed and developed around the needs of protected groups, giving emphasis to any existing gaps in provision.

POLICY CS HO1 Positive

This policy seeks to maximise provision of affordable housing in the Plan area. Access to affordable housing has a significant influence on a range of health and wellbeing indicators. There is currently evidence that some of the existing population in the area are living in overcrowded or unsuitable accommodation. Provision of a range of affordable housing types increases the likelihood that new households can be formed in proximity to existing family members. People in some protected groups (e.g. people with disabilities and from Black and Minority Ethnic groups) are disproportionately dependent on the provision on affordable housing. While the Draft Neighbourhood Plan does not specifically reference the need for specialist housing for people from protected groups, this matter is dealt with in detail by the adopted Camden Local Plan and therefore further reference in the Neighbourhood Plan is not necessary.

POLICY CS HO2 Positive

It requires the provision of a proportion of housing when commercial schemes are being developed. This builds on the Council's Local Plan mixed use policy (H2) which promotes this approach in Central London. It is considered to be positive insofar as a proportion of this housing is likely to be delivered as affordable tenures and may therefore be particularly beneficial to groups with protected characteristics who are disproportionately accommodated in affordable housing.

POLICY CS HO3 Negative

The policy attempts to manage the proliferation (and cumulative impacts) of student accommodation in the Plan area. Policies seeking to manage the supply of student accommodation need to be sufficiently flexible to adjust to changing circumstances, e.g. whether there is a continuing 'overconcentration' of student accommodation. At present, the majority of purpose built student accommodation in Camden will be provided as the sole use on a site. The Forum need to demonstrate how the Plan's restriction on "mono use student blocks" might impact on the delivery (i.e. viability) and operation of student housing schemes. If the policy acted as a barrier to the delivery of most/all student housing over an extended period of time – and especially if this occurred in the absence of an overconcentration of student accommodation - it could have a detrimental impact on the ability of young people/students being able to access accommodation in proximity to the institutions they attend. The location of Camley Street on the fringes of Central London means that students are able to undertake most journeys on foot or by bike which reduces their day-to-day living costs.

It is noted that dedicated student blocks will often be able to provide a range of facilities on-site to address student needs, e.g. gyms and communal areas. The Forum should establish whether limiting the type of student accommodation that can be provided would have any effect on the provision of facilities important for students' wellbeing and quality of life. Easy access to facilities/services at evenings and weekends is likely to be particularly important.

POLICY CS TR1 Positive

The policy seeks to manage the impacts of vehicular traffic in the Plan area, including deliveries. As stated under Question 2 of the EqIA above, certain groups with protected characteristics are likely to spend disproportionate amounts of time in the locality, such as young and older people. The presence of heavy goods vehicles, conflicts between pedestrians, cyclists and vehicles and pollution from vehicles can impact on people's enjoyment of the public realm. In this context, parents may be especially wary to allowing children to play unsupervised. This can be particularly crucial where residents live in close proximity to employment uses. If people do not perceive the local environment to be safe, they are less likely to use local walking and cycling routes. Noise and emissions from vehicles can affect the way people use public spaces and move around an area and can be a barrier to older and disabled people from participating in public life. Improvements to the public realm are likely to disproportionately benefit people from protected groups where they are designed and managed successfully.

POLICY CS TR2 Positive

This policy highlights specific measures that can maximise opportunities for walking and cycling. These measures address permeability, legibility and support facilities, e.g. cycle storage and parking. The policy could be enhanced by consideration of/specific reference to the needs of people with protected characteristics in the Plan area, for example measures that may be needed to maximise accessibility and comfort for people with disabilities, based on the area's particular opportunities/ characteristics.

POLICY CS GI1 Positive

This policy seeks to protect and enhance open spaces in the Plan area. Open spaces are important for recreation, opportunities for social interaction and can contribute to wellbeing, e.g. through the provision of greenery. This policy is likely to disproportionately benefit people with protected characteristics, for example parents, who tend to spend a longer part of the day within the Plan area. The policy also recognises the private amenity benefits provided by garden spaces and the ability of open spaces to deliver impact when they are joined as part of a network with green corridors and links. Protecting open spaces will ensure that existing benefits can be sustained into the future.

POLICY CS GI2 Positive

This refers to specific greenspace measures that could be implemented in the Plan area and which developer contributions may be able to help fund. This includes the creation of new routes and pocket parks. As with Policy CS GI1 above, this will benefit people who disproportionately spend more time in the Plan area, e.g. the young/students, older people and parents. The policy could be enhanced by consideration of/specific reference to the needs of people with protected characteristics in the Plan area, for example measures that may be needed to maximise accessibility and comfort for people with disabilities.

POLICY CS GI3 Positive

This features a range of measures likely to have positive effects on the wellbeing of the resident and worker population in the Plan area. Examples are the use of Sustainable Urban Drainage Systems (to help prevent surface water flooding), the provision of living walls and food growing opportunities and promotion of volunteer engagement in nature conservation work. The measures are either likely to benefit people directly through their participation in activities (nature conservation activities can be tailored to specifically include people with protected characteristics such as school children, teenagers and people with disabilities) or indirectly through general improvements to the area's environment.

The kinds of 'grassroots' community action envisaged by this policy is likely to provide opportunities for people from different protected groups to come into contact with one another and gain a better understanding of the perspectives and challenges they experience. The positive benefits could potentially be sustained over a long time period where local residents or workers take on the management and responsibilities for looking after and maintaining elements of green infrastructure.

POLICY CS DQ1 Positive/Neutral

This holistic design policy features a number of elements that contribute to good place making, such as improving connectivity and safeguarding residents' amenity. It seeks to ensure that developments are sensitive to their context and designed to a high quality. The policy could be enhanced by consideration of/specific reference to the needs of people with protected characteristics in the Plan area, for example measures that may be needed to maximise accessibility and comfort for people with disabilities. However, it is noted that these matters are already given ample coverage by the adopted Camden Local Plan and accompanying planning

guidance and therefore no further action is recommended.

POLICY CS DQ2 Positive/Neutral

This policy largely repeats considerations referenced elsewhere in the Neighbourhood Plan. There is particular emphasis to wayfinding and there is reference to issues experienced by the disabled / less mobile in paragraph 6.29.1. The policy could potentially be enhanced by referring to the principles of Transport for London's 'Healthy Streets' initiative.

Notes to Question 3

- Here, think about our other duties (see the notes at the end) and do the proposals impact (positive and or negative) upon those wider duties and aspirations?
- What might say a reduction in the hours of a facility that mainly serves a particular group have on our wider duties?
- Examples of eliminating discrimination: Taking action to ensure that services are open to all groups – e.g. targeting help at particular deprived sections of the community or funding services who work to prevent discrimination
- Does take up of the activity differ between people from different protected groups?
- Have the outcomes of your consultation and engagement results identified potentially negative or positive impacts?
- Are some groups less satisfied than others with the activity as it currently stands?
- Is there a greater impact on one protected group, is this consistent with the aims of the activity?
- For organisational change / restructures analyse the outcomes of consultation with staff and trade unions and analyse the staff data provided by your change adviser
- If you have identified negative impacts include details of who these findings have been discussed with (e.g. Legal, HR) and their views
- Are there any further changes that could be made to deliver service improvements or make the activity more responsive?

Question 4

If there is an adverse impact, can it be avoided?

If it can't be avoided, what are we doing to mitigate the impact?

[You can use this space to capture your reader's attention with a quote from the document or to emphasise a key point.]

The potential effects of the policies on people/groups with protected characteristics has been considered under Question 3.

This identifies that all but one (CS HO3) of the Plan policies are expected to lead to either 'positive' or 'neutral' outcomes. Many of the Neighbourhood Plan's policies seek to improve the quality of the environment for all, manage/pre-empt potential conflicts between residential and commercial uses or promote greater community action or civic pride, for example participation in food growing or nature conservation projects. Some of the draft policies will be particularly beneficial for protected groups, especially the young, parents and elderly, who tend to spend more time closer to home, for example by the Plan's promotion of improvements to the street environment, open spaces and community facilities.

Where development could increase pressure on existing facilities or give rise to harmful impacts on assets used or enjoyed by residents, the Plan has identified how this should be managed. It sets out measures to improve sustainable transport modes and green infrastructure which may potentially be funded by developer contributions. The Plan also seeks to maximise the provision of housing/affordable housing which is a pressing concern in Camden and London. It is known that people with protected characteristics are often disproportionately affected by problems associated with overcrowded and unsuitable accommodation.

We have identified that the wording of Policy CS HO3, which seeks to manage the impacts of student accommodation, as framed may have unforeseen consequences, potentially inhibiting the delivery of all/most student housing over the Plan period. The effects of the policy should be clarified. Restrictions on access to student housing could have a negative impact on young people/students who need accommodation with convenient access to the institution/university at which they study. The Neighbourhood Plan's restriction of "mono use student blocks" may also have a significant impact on the delivery of new student housing by making it unviable for operators to locate in the Plan area. Existing typologies of student housing often provide access to ancillary facilities on-site, which can support social interaction and wellbeing, such as communal areas.

We have also identified a number of policies (CS CN1, CS TR2 and CS G12) where further advice could be given within the Plan on how the approach might deliver positive outcomes for particular protected groups. Clearly, some of the measures identified in the Plan, e.g. green infrastructure projects, will have a universal benefit for anyone in the Plan area; however there may be opportunities, particularly in supporting text, to describe any actions that may help to address gaps or challenges experienced by the existing population of the Plan area.

Notes to Question 4

- Assuming there is an impact, what are we going to do about it? We need to make sure the **decision makers understand the impacts**
- All our policies and decisions should be designed to eliminate discrimination and contribute to our other obligations such as promoting good relations.
- If it can't be avoided can it be mitigated in some other way?
- There might be decisions elsewhere or perhaps additional spending on other services which could reduce the impact. Beware of simply saying that we will direct service users to other services or resources without considering the feasibility of doing so or the knock-on effect for those services
- We don't have to completely eliminate a negative impact, but we must identify it and try to mitigate it and the **decision makers must be in a position to fully understand the implications of their decision and balance off the competing interests** – e.g. the impact against the need to make savings and balance our budget

Question 5

Could any part of the proposed activity discriminate unlawfully?
Can we advance equality of opportunity via this decision/policy?
Can we foster good relations via this decision/policy?

[You can use this space to capture your reader's attention with a quote from the document or to emphasise a key point.]

We have identified in Question 4 potential adjustments to the draft Neighbourhood Plan to minimise disadvantages affecting people with protected characteristics. Taken as a whole, it is clear that the Plan has taken into account the needs of people with protected characteristics, e.g. Policy CS DQ2. However, in some cases the Plan could be more explicit about the issues and challenges affecting these groups, and specific steps that might be taken as part of the planning process to resolve them (having regard to the opportunities and characteristics of the Plan area). This is particularly relevant where the Plan refers to specific types of infrastructure needed to support development proposals. The Plan could also include a policy criterion or statement seeking appropriate local user groups to be involved in the design and development of any infrastructure they are likely to use.

It is also important that the full range of potential impacts of Policy CS HO3 are fully understood. As currently framed, this approach prevents the impacts of individual schemes from being considered on a case-by-case basis, even if evidence and monitoring points to a decline in the relative concentration of student housing in the area. The approach is particularly restrictive because it 'rules out' a particular type of student accommodation – i.e. mono use student blocks, when this is the main way in which operators in Camden and London currently deliver purpose-built student housing. The policy could impact on some young people by severely limiting the ability to access accommodation in the Camley Street area, who would need to find accommodation in alternative locations, possibly with more limited opportunities to walk and cycle to the place of study. The policy may also mean that students could lose the ability to access supporting infrastructure to meet their day to day needs, which dedicated student blocks are able to provide on-site.

With the exception of Policy CS HO3, it is considered that the draft Plan provides a positive vision for the neighbourhood. It seeks to challenge poor environmental factors currently affecting the area and aims to sustain and enhance the sense of community. A range of potential improvements to social and green infrastructure are proposed for the Plan area and have been identified following consultation with local residents and businesses. The Neighbourhood Plan also supports the redevelopment and intensification of sites subject to the adjacency and compatibility of different land uses being successfully managed, which is critical if surrounding public and open space are to be adequately used. The policies promoting greater delivery of affordable housing, the 'mixed-use' policy requiring housing alongside commercial development and policies seeking the retention/expansion of commercial floorspace are likely to have positive effects on the existing resident and working population, including people with protected characteristics. As such, there is a recognition in the draft Neighbourhood Plan of the desirability of sustaining, and building on existing social, family and business networks in the Plan area, as future growth and change occurs.

The content of the Neighbourhood Plan has been developed through consultation with residents, businesses and other local stakeholders. The Forum is led by local businesses and includes residents living in the Plan area. Membership of a Neighbourhood Forum (a minimum of 21 members is required and it must promote social, economic and environmental wellbeing) is open to anyone who lives or works in the area or is a local councillor. The Forum's redesignation application (2019) refers to the steps taken to maintain contact with residents and businesses in the Plan area. The Forum undertook a survey of all residents and businesses in the Plan area to inform the emerging approach. Meetings have been held every Spring and Autumn to which all members of the community are invited.

The Camley Street Neighbourhood Plan's policies will complement Camden's Local Plan (which was adopted by the Council in July 2017) by providing further detail about issues which the community consider to be important. As part of the Plan's submission to the Council for independent examination,

the Forum is required to prepare a 'Consultation Statement'. This will describe in detail the efforts made by the Forum to engage widely, including with 'protected groups', in preparing the Neighbourhood Plan.

The Council considers that the Draft Camley Street Neighbourhood Plan is a positive, forward looking document setting out how future change in this area might be managed. The Plan identifies particular sub areas where future development and intensification is expected to take place. These sites will help to address a range of needs relevant to both LB Camden and the neighbourhood area. It is anticipated that further detail about the principles for development on key sites in the Camley Street area will be included as part of Camden's ongoing review of the 'Site Allocations' document. Work on this Plan commenced in 2018.

Notes to Question 5

- **There may be decisions or policies where this is not going to be applicable. Explain this briefly in the box above. The important point is that it is carefully considered.**
- Suggest positive steps that can be achieved towards our statutory obligations to remove or minimise disadvantages suffered because of protected characteristics, e.g. taking steps to meet the needs of people from the different backgrounds when they are different to the needs of others, encouraging participation from groups when participation is disproportionately low
- Advancing equality of opportunity - (NB this does not apply to marriage and civil partnership). **This is a “positive duty”** which requires public authorities to consider taking proactive steps to root out discrimination and harassment and advance equality of opportunity in relation to their functions—from the design and delivery of policies and services to their capacity as employers. The duties require us to give consideration to taking positive steps to dismantle barriers. Advancing equality of opportunity might require treating some groups differently e.g. targeting training at disabled people to stand as councillors.
- **The legislation requires when we have due regard in terms of advancing equality of opportunity to:**
 - a. **Remove/minimises disadvantage suffered by those who share a characteristic and is connected to it**
 - b. **Take steps to meet the different needs of those who share a characteristic**
 - c. **Encourage those who share a characteristic to participate in public life or any other activity when participation is disproportionately low.**
- Advancing opportunity includes the fact that the steps needed to meet the needs of disabled persons take into account the disabled persons' disabilities
- We are required to have “due regard” to the need to foster good relations between people who share a relevant protected characteristic and people who do not share it. This involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Examples

- An employer to provide staff with education and guidance, with the aim of fostering good relations between its trans staff and its non-trans staff.
- A school to review its anti-bullying strategy to ensure that it addresses the issue of homophobic bullying, with the aim of fostering good relations, and in particular tackling prejudice against gay and lesbian people.
- Local authority (Not Camden) to introduce measures to facilitate understanding and conciliation between Sunni and Shi'a Muslims living in a particular area, with the aim of fostering relations between people of different religious beliefs.
- Our work to encourage Bangladeshi tenants involvement in TA's.

EIA prepared by: Andrew Triggs, Principal Planner

Date: 13 March 2019

EIA checked by: Brian O'Donnell, Strategic Lead - Planning Policy

Date: 18 March 2019

EIA approved by: _____

Date: _____

(Relevant Director Sponsor)

What to do upon approval

For organizational change: If your EIA relates to internal staff, please send to your HR Business Adviser.

For all other EIAs: Please upload onto Sharepoint via this link:

[Equality Impact Assessment Library](#)

Explanatory Notes

What is our Public Sector Equality Duty (PSED)?

Under section 149 all public authorities must, in the exercise of their functions, have 'due regard' to the need to:

1. Eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act; EqA 2010 (section 149(1)(a)).
2. To advance equality of opportunity between people who share a relevant protected characteristic and those who don't; This involves having due regard to the need to:
 - o remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - o take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it (section 149(4)); and
 - o encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Section 149(6) makes it clear that compliance with the PSED in section 149(1) may involve treating some people more favourably than others, but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the EqA 2010 (this includes breach of an equality clause or rule or breach of a non-discrimination rule (section 149(8))).

(Section 149(3), EqA 2010.)

3. Foster good relations between people who share a relevant protected characteristic and those who don't (section 149(1)(c)) (which involves having due regard to the need to tackle prejudice and promoting understanding) (section 149(5), EqA 2010)..

Under the Duty the relevant protected characteristics are: Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion, Sex, Sexual orientation.

- In respect of the first aim only i.e. reducing discrimination, etc. the protected characteristic of marriage and civil partnership is also relevant.
- In meeting the needs of disabled people we have a duty to take account of their disability and make reasonable adjustments to our services and policies where appropriate.
- We must be able to demonstrate that we have considered and had due regard to all three parts of this duty. We must also look for anything that directly or indirectly discriminates.

What do we mean by “due regard”?

- This is not a question of ticking boxes, but should be at the heart of the decision-making process.
- decision-makers must be made aware of their duty to have due regard – so understand the legal requirements on them;
- There should be an analysis of the data – who is this going to affect and how will it put against the legal requirements
- We need to have thought about these duties both before and during consideration of a particular policy and we need to be able to demonstrate that we have done so
- The Duty is “non-delegable” so it is for the decision maker themselves to consider with assistance from the report and officer analysis. What matters is what he or she took into account and what he or she knew so it is important to have the relevant papers accompanying the report. The report should make explicit reference to the EIA. the duty is continuing so while this guide is aimed at the point of decision we should at appropriate points review our duties against the decision/policy
- The decision maker must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy or decision has been taken
- Officers reporting to or advising decision makers must not merely tell the decision maker what he/she wants to hear but need to be “rigorous in both enquiring and reporting to them”
- The duty should be reconsidered if new information comes to light

“

What is due regard? In my view, it is the regard that is appropriate in all the circumstances. These include on the one hand the importance of the areas of life of the members of the disadvantaged ... group that are affected by the inequality of opportunity and the extent of the inequality; and on the other hand, such countervailing factors as are relevant to the function which the decision-maker is performing”

Lord Justice Dyson

”

We need to take a sensible and proportionate approach to this based on the nature of the decision or policy being reviewed