IMPORTANT NOTES:

1. THIS FRONT SHEET IS AN ESSENTIAL PART OF THE EA – COMPLETE THE TEMPLATE AND SUBMIT IT AS A SINGLE DOCUMENT.

2. IN RARE CASES, WHEN COMPLETING THE ASSESSMENT IT MAY BECOME APPARENT THAT THE RECOMMENDATIONS WOULD LEAD TO UNLAWFUL DISCRIMINATION E.G. A PROPOSAL TO PAY MEN MORE THAN WOMEN. IF SO, STOP, RECONSIDER YOUR PROPOSAL AND SEEK ADVICE.

THE HEAD OF SERVICE OR DIRECTOR WHO IS RESPONSIBLE FOR MEMBER LEVEL REPORTS MUST BE SATISFIED WITH THE FINALISED EQUALITY ANALYSIS AND FOR MAJOR PROPOSALS, IT IS SENSIBLE TO ENSURE YOUR LEAD MEMBER HAS BEEN CONSULTED.

---

What is an Equality Analysis (EA) for? Double click here for more information / Hide

The Council must have due regard to its Public Sector Equality Duty (PSED) when making decisions at member and officer level. An EA is the best method by which the Council can provide the evidential analysis to comply with the equality duty, particularly for major decisions. However, the level of analysis required should only be proportionate to the relevance of the duty to the service or decision. Some decisions will require detailed equalities consideration, e.g. a decision on adult social care provision or reduction of grants to voluntary organisations, whereas the performance of other functions will have less of an equalities impact, e.g. the appointment of committees where only a limited assessment is required. In rare cases, the Courts have said there may be no impact. If you think this may be the case, then you should undertake the EA screening process first to determine if you need to complete this full EA and have a rational basis for this conclusion.

What is the Public Sector Equality Duty (PSED)? Double click here for more information / Hide

The public sector equality duty (s.149, Equality Act 2010) requires the Council, when exercising its functions, to have “due regard” to the need to:

1. eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act,
2. advance equality of opportunity between those who share a “protected characteristic” and those who do not share that protected characteristic and
3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it (this involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding).

These are collectively referred to in this EA as the equality aims. Advancing equality (the second equality aim) involves having due regard, in particular, to the need to:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people’s disabilities and
- Encouraging people from protected groups to participate in public life or in other activities where their participation in disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to “level the playing field” with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

---

WALTHAM FOREST COUNCIL
FULL EQUALITY ANALYSIS (EA) TEMPLATE

<table>
<thead>
<tr>
<th>Decision</th>
<th>Adoption of Public Houses Supplementary Planning Document (SPD)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>23rd February 2015</td>
</tr>
</tbody>
</table>
The Proposals

1. What is the Proposal?
Adopt the Public Houses Supplementary Planning Document as part of the Council’s Local Plan.
Delegate any further non-material alterations to the Public Houses Supplementary Planning Document to the Acting Director of Regeneration and Growth in consultation with the Portfolio Lead for Economic Growth and High Streets.

2. What are the recommendations?
Cabinet is recommended to:

   a) Adopt the Public Houses Supplementary Planning Document (Appendix A) as part of the Council’s Local Plan.

   b) Delegate any further non-material alterations to the Public Houses Supplementary Planning Document to the Acting Director of Regeneration and Growth in consultation with the Portfolio Lead for Economic Growth and High Streets.

3. Who is affected by the Proposal? Identify the main groups most likely to be affected by the recommendations, directly and indirectly.
The proposal is likely to impact all residents and visitors in the borough, in particular those who use and visit public houses as well as the wider community.

Key borough statistics: The 2011 census shows that Waltham Forest has a population of 258,249. Broken down by broad age group, some 26.1% of the population (67,303) were aged 0-19, 35.8% (92,392) 20-39, 28.2% (72,988) 40-64 and 10% (25,566) were aged 65+. Compared to London and England and Wales Waltham Forest has a younger age profile with 8.1% of its population aged 0-4 and 26.1% 0-19 compared to 7.2% and 24.5% across London and 6.2% and 24% across England and Wales respectively. Those aged 20-39 (35.8%) constitute the same percentage of the population in Waltham Forest as across London as a whole (also 35.8%) compared to only 26.9% across England and Wales. Smaller proportions of the borough population are found in the 40-64 and 65+ age groups which constitute 28.2% and 10% compared to 32.7% and 16.4% across England and Wales. (Source: 2011 Census, Office for National Statistics). Children in Care: As at December 2012, we had 289 children in our care. 56% were male and 44% female. Most are in the 12-16 age bracket (35%) followed by 6-11 age group (24%). Ethnic breakdown - White: 42%; Black or Black British: 28%; Mixed race: 19%; Asian or Asian British: 6%; Other: 4%.

Waltham Forest Council EQUALITY ANALYSIS (EA) TEMPLATE
Age

What is the proposal’s impact on the equalities aims? Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

The adoption of the Public Houses SPD will enable the Council to better manage the loss of Public Houses in the borough, which could have a positive impact on residents of working age, and the elderly.

Public houses have a strong role to play in supporting the local economy. They can help bring activity and vibrancy to our high streets (particularly in the evenings), and provide employment opportunities, both directly, and indirectly; by supporting food suppliers and brewing industries. Such benefits will therefore have a positive impact on those of working age.

It is possible that in the future a developer will acquire a pub and submit a planning application to change its use to one which could impact on those with a protected characteristic. In such circumstances the mitigation measures identified for ‘Religion or Belief’ in this Analysis will equally apply.

Disabled

What is the proposal’s impact on the equalities aims? Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

Key borough statistics: Recent data from the 2011/2012 Annual Population survey suggests there are 31,000 disabled people of working age (16-64) living in Waltham Forest of which around 16,000 are female and 15,000 male. This represents around 1 in 5 (20%) of the working age population, a higher rate than found across London (16.9%) though lower than that found in England (20.5%). 2012 data finds that across the borough some 10,350 residents claim disability living allowance with rates tending to be higher in the southern and middle wards of the borough though this data should be treated as a rough indicator of the prevalence of disability. As at January 2012, some 1,299 children and young people had a statement of Special Educational Needs in Waltham Forest.


Additional Equalities Data (Service level or Corporate) Include data analysis of the impact of the proposals

What actions can be taken to avoid or mitigate any negative impact or to better advance equality and foster good relations?

No mitigation required
Disability  
*Click and hover over the questions to find more details on what is required*

As the adoption of the SPD is essentially about setting out a range of tests for planning applications to pass before a use other than an A4 drinking establishment can be treated favourably, it will not have a direct impact on disability groups. Where existing A4 uses are lost to other forms of development, other existing Local Plan policies will seek to ensure the new developments are accessible by people with disabilities.

It is possible that in the future a developer will acquire a pub and submit a planning application to change its use to one which could impact on those with a protected characteristic. In such circumstances the mitigation measures identified for ‘Religion or Belief’ in this Analysis will equally apply.

No mitigation required

Pregnancy and Maternity  
*Double click here to add impact / Hide*

**Key borough statistics:**  According to the 2011 census, 8.1% (20,839) of the Waltham Forest population is aged 0-4 compared to 7.2% across London and 6.2% across England and Wales. For those aged 0-1 these percentages are respectively 3.3% (Waltham Forest), 3% (London) and 2.5% (England & Wales).

The Total Fertility rate for Waltham Forest in 2011 is 2.69 (3rd highest across London) compared to a London and England figure of 1.99. The teenage pregnancy rate in Waltham Forest (2010) is 45.7 per 1,000 of the female population aged 15-17 compared with 37.1 across London and 35.5 across England and Wales. Source: 2011 Census, Conception statistics and Birth Summary Tables, Office for National Statistics.

NB: The total fertility rate measures the projected number of births born to a woman over her lifetime.

Pregnancy and Maternity  
*Double click here to show borough wide statistics / hide statistics*

Additional Equalities Data (Service level or Corporate)  
*Include data analysis of the impact of the proposals.*

**What is the proposal’s impact on the equalities aims?**  
Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

It is possible that in the future a developer will acquire a pub and submit a planning application to change its use to one which could impact on those with a protected characteristic. In such circumstances the mitigation measures identified for ‘Religion or Belief’ in this Analysis will equally apply.

No mitigation required.
**Key Borough Statistics:** According to 2011 census data Waltham Forest’s White British population is 92,999, 36% of the total borough population. All other ethnic groups constitute 64% of the population (165,250). Broken down by specified ethnicity: White Other (37,472/14.5%), Pakistani (26,347/10.2%), Black Caribbean (18,841/7.3%), Black African (18,815/7.3%), Indian (9,134/3.5%), Other Black (7,135/2.8%), Any other ethnic group (6,728/2.6%), Bangladeshi (4,632/1.8%) and Chinese (2,579/1%). Note: The more detailed ethnicity breakdown goes into more detail and data for more recent arrivals includes: Polish (6,944/2.7%), Other Eastern Europe (6,020/2.3%) and Baltic states (3,011/1.2%). Data on arrivals from other countries over the last 8 years show that Poland, Pakistan and Lithuania have supplied the greatest number of migrants. (Source: 2011 Census, Office for National Statistics, Department for Work and Pensions)

**What is the proposal’s impact on the equalities aims?** Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

The adoption of the SPD could have a positive impact on this equality group due to the important role Public Houses can play in promoting community cohesion and offering opportunities from different walks of life to mix.

It is possible that in the future a developer will acquire a pub and submit a planning application to change its use to one which could impact on those with a protected characteristic. In such circumstances the mitigation measures identified for ‘Religion or Belief’ in this Analysis will equally apply.

**Religion or Belief**

**Key borough statistics:** According to the 2011 Census the borough has 48.4% of its population stating their religion to be Christian, Muslim 21.9%, Hindu 2.3%, Jewish 0.5%, Sikh 0.5%, Buddhist 0.8% and other 0.4%. Some 18% of residents claimed no religion whilst 7.3% did not state an answer. The multi-faith nature of Waltham Forest is evidenced by more recent data which shows that Waltham Forest has around 150 Christian Churches, 16 Muslim Mosques, 4 Hindu Temples, 3 Jewish Synagogues, 1 Sikh Gurdwara and 1 Tao Temple.
Religion or Belief  
Click and hover over the questions to find more details on what is required

Additional Equalities Data (Service level or Corporate) Include data analysis of the impact of the proposals

- In the 2011 Census, 48% of residents identified themselves as Christian, and 22% as Muslims. This represents a significant increase in the percentage of Muslims from 2001 levels, and is also significantly higher than the national average of 5%

What is the proposal’s impact on the equalities aims? Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

The protection of existing premises will not in itself have a negative impact on this group. Furthermore it is important to recognise that Waltham Forest remains a multi-faith borough which includes populations of other faiths that will use Public Houses.

It is recognised that public houses are unlikely to be used by some faith communities for religious and or cultural reasons and so retention of public houses for these groups is likely to be neutral. It is however accepted that with a growing Muslim population in the borough that some public houses have in the past been bought with the intention of seeking a change of use through the planning system, for conversion into places of worship or community uses for some groups. From this perspective the adoption of the public house SPD could have an indirect potential adverse impact on faith groups.

It is acknowledged that there is a broader need to accommodate religious and cultural needs in the area, in particular, the demand for greater space and facilities for prayer by the Muslim community especially at peak times for example Friday lunchtimes and indeed occasions such as Eid and Ramadan. However this need has to be balanced against the impact of the proposals in planning terms and the needs of the wider community.

It is possible that in the future a developer will acquire a pub and submit a planning application to change its use to one which could impact on those with a protected characteristic. In such circumstances the mitigation measures identified for ‘Religion or Belief’ in this Analysis will equally apply.

What actions can be taken to avoid or mitigate any negative impact or to better advance equality and foster good relations?

- a) The Council will continue to offer pre-application planning advice where faith groups are considering purchasing potential sites and contact the Council before doing so – LEAD OFFICER: HEAD OF DEVELOPMENT MANAGEMENT, TIMESCALE: ONGOING.

- b) The Council will continue to plan for new social infrastructure on specific identified sites and/ or through seeking financial contributions towards such uses when negotiating relevant development proposals, in accordance with policy DM17 from the adopted Development Management Policies – LEAD OFFICERS: HEAD OF PLANNING POLICY AND HEAD OF DEVELOPMENT MANAGEMENT, TIMESCALE: ONGOING.

- c) Right of appeal on all planning applications will continue – LEAD OFFICER: HEAD OF DEVELOPMENT MANAGEMENT, TIMESCALE: ONGOING.

- d) Where tests set out in the SPD are met then full consideration to alternative uses (as set out in the SPD) will be given – LEAD OFFICERS: HEAD OF DEVELOPMENT MANAGEMENT AND HEAD OF PLANNING POLICY, TIMESCALE: ONGOING.

- e) Continue to work with faith communities and their representatives in order to consider the needs of the community when local plan policies are reviewed – LEAD OFFICER: HEAD OF PLANNING POLICY, TIMESCALE: ONGOING.

- f) A full equality analysis will be undertaken before a decision on any planning application is made to ensure that any negative equality impacts will be fully considered – LEAD OFFICER: HEAD OF DEVELOPMENT MANAGEMENT, TIMESCALE: ONGOING.
Sexual Orientation and Gender Reassignment

Key borough statistics: National estimates of LGBT population range from 0.3% to 10% using different measures. A study commissioned by Waltham Forest Council suggested the population to be somewhere between 7,000 to 10,000 people in 2007 (this is 4-6% of the adult population). The study also suggested that there may be at least 35 transgender individuals in the borough (Source: Measuring Sexual Identity – Office for National Statistics, Waltham Forest LGBT Matters).

What is the proposal’s impact on the equalities aims? Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

What actions can be taken to avoid or mitigate any negative impact or to better advance equality and foster good relations?

No mitigation required

Sexual Orientation and Gender Reassignment

Key borough statistics: The 2011 census put the gender split of Waltham Forest as Male: 128,970 (49.94%) and Female 129,279 (50.06%). (Source: 2011 Census, Office for National Statistics).

What is the proposal’s impact on the equalities aims? Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

What actions can be taken to avoid or mitigate any negative impact or to better advance equality and foster good relations?
Sexual Orientation and Gender Reassignment

It is possible that in the future a developer will acquire a pub and submit a planning application to change its use to one which could impact on those with a protected characteristic. In such circumstances the mitigation measures identified for ‘Religion or Belief’ in this Analysis will equally apply.

Marriage and Civil Partnership

Additional Equalities Data (Service level or Corporate)

What is the proposal’s impact on the equalities aims? Look for direct impact but also evidence of disproportionate impact i.e. where a decision affects a protected group more than the general population, including indirect impact

It is possible that in the future a developer will acquire a pub and submit a planning application to change its use to one which could impact on those with a protected characteristic. In such circumstances the mitigation measures identified for ‘Religion or Belief’ in this Analysis will equally apply.

Additional Impacts on Advancing Equality & Fostering Good Relations

See pages 1 and 2 for full details of these two aims. This section seeks to identify what additional steps can be taken to promote these aims or to mitigate any adverse impact. Analysis should be based on the data you have collected above for the 8 protected characteristics covered by these aims. Remember, marriage and civil partnership is not covered.

Key borough data: From our 2011 Cohesion Survey, a third of our respondents believe that differences are ‘definitely respected’. A further 46% believe this is the case most of the time, and just 6% feels this is not the case. By age group, a higher proportion of older residents feel differences are respected ‘definitely/most of the time’ (86% aged 66+ years). Residents with a disability are less likely to feel differences are respected (74%) than those without a disability (80%). The survey also shows that participation in community activity is 75% for Asian residents and residents in North Chingford (72%). Participation is lowest amongst South Chingford residents (63%).
Additional Impacts on Advancing Equality & Fostering Good Relations

Additional Equalities Data (Service level or Corporate)

Are there any additional benefits or risks of the proposals on advancing equality and fostering good relations not considered above?

What actions can be taken to avoid or mitigate any negative impact on advancing equality or fostering good relations not considered above?

N/A

The core aim of the SPD is to protect Public Houses from alternative forms of development in recognition of the important role they can play in helping support community cohesion and economic growth.
**Conclusion**

Consider the Guidance below and set out your conclusions from the equalities analysis of the 8 protected characteristics. If there are negative equalities impacts, but you think that the proposals should still proceed in the current or amended form, explain what the objective justification for this is, providing evidence as appropriate. If it is helpful, refer to other documents e.g. the Cabinet report. You may find it helpful to identify one of the 4 outcomes below as being closest to your current proposals. (Use your conclusions as a basis for the “Equalities Implications” in the Cabinet report.)

This analysis has concluded that...

The core aim of the SPD is to protect Public Houses from alternative forms of development in recognition of the important role they can play in helping support community cohesion and economic growth. This analysis has concluded that the Public Houses SPD will have a positive impact on some equalities groups and that there could be some indirect potential for adverse impact on the religion and belief characteristic. Mitigation measures have been identified to ensure any adverse impact is minimised.

**Outcome of Analysis  Check one that applies**

- **Outcome 1**
  No major change required when the assessment has not identified any potential for discrimination or adverse impact and all opportunities to advance equality have been taken.

- **Outcome 2**
  Adjustments to remove barriers identified by the assessment or to better advance equality. Are you satisfied that the proposed adjustments will remove the barriers identified?

- **Outcome 3**
  Continue despite having identified some potential for adverse impacts or missed opportunities to advance equality. In this case, the justification should be included in the assessment and should be in line with the duty to have ‘due regard’. For the most important relevant policies, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.

- **Outcome 4**
  Stop and rethink when an assessment shows actual or potential unlawful discrimination.

Signed off by Head of Service: [Signature]
Name: David Scourfield
Date: 23/02/15