

# EQUALITY ANALYSIS (EA) - SCREENING TEMPLATE

**GUIDANCE TOOL** This Tool assists services in determining whether their plans and decisions will require a full Equalities Analysis. EAs help the Council comply with its duty under s.149 of the Equality Act 2010 to have “due regard” to specified equality matters. They are required in most cases but, in some cases, an EA is not necessary or is only necessary for certain aspects of a decision. Full guidance on the Council’s duties and EAs and the full EA template is available at <http://forestnet.lbwf.gov.uk/index/residents-first/equalities/equality-analysis.htm>

The Council understands that whilst its equalities duty applies to all services, it is going to be more relevant to some decisions than others. We need to be pragmatic and ensure that the detail of Equality Analyses (EAs) are proportionate to the impact of decisions on the equality

duty. In some cases a full EA is not necessary and/or the equalities duties do not apply. In other cases, only part of a decision will require an EA to ensure the Council has due regard to its equality duties. The following examples are intended to assist:

## Where will a full EA be required?

In short, wherever a decision has a more than minimal or theoretical **adverse or negative** impact on those with protected characteristics, for example, if the Council is considering:

- Ceasing a service
- Reducing a service or reducing it in particular areas, e.g. closing an office in Leyton but not Walthamstow
- Changes to the way a service is delivered, e.g. moving to personalisation or moving to online access only
- Changes to eligibility criteria, rules or practices for a service
- Changes to discretionary fees and charges

## Where might an EA not be required?

- Where it can be proven that the decision has no equalities impact– with particular focus on negative impacts on service users and residents
- Where it can be proven that the decision has a minimal or theoretical equalities impact (and so does not need to be considered)
- Where the decision is mandatory and there is no element of discretion (e.g. to adopt a member’s code of conduct or similar)
- In rare cases, where a previous EA exists and a review shows that it is still relevant at the time of the final decision, i.e. the facts have not changed

## Important:

- The EA screening tool should not be used to mask over any equality impacts or as a “get out”.
- There can be a negative equality impact even if you think that overall, you are proposing changes that will make services better. If there is an adverse or negative impact, you must complete a full EA.
- **Negative** impacts are often indirect, i.e. a rule that is on its face of universal impact but has greater impact on some groups in practice e.g. due to the ethnic makeup of an area.
- In most cases, the screening process requires a degree of collation and analysis of

evidence. If this requires a lot of work, consider whether it is actually simpler to omit the screening process and undertake a full EA.

- The equality duty **continues** up to and after the final decision. If proposals or facts change before the final decision, any screening tool will need to be reviewed and evidenced.
- Any consultation undertaken should also inform the screening process, e.g. issues raised by those affected. Monitoring should take place after a decision as part of service delivery.
- The completed screening template will be attached to Cabinet or other decision making report and so it must include sufficient detail to justify the decision not to carry out a full EA.

## What to do?

The screening process should be used on **ALL** new proposals, policies, projects, functions, saving proposals, major developments or planning applications, or when revising them, if there is no negative equality impact or there is uncertainty about whether there is a negative equality impact. **However**, If your proposal is of a significant nature and it is apparent from the outset that a full EA will be required, then you do not need to complete this screening template and can progress directly to a full EA. If a negative/adverse impact has been identified during completion of the screening tool, a full EA **MUST** be undertaken. If you have not identified any negative/ adverse impacts arising from your proposal you do not need to undertake a full EA. However, make sure you have explained clearly why the

proposal does not have any negative/adverse impact. **If your proposal is going to Cabinet or Committee (e.g. Planning or Licensing) and you are not undertaking a full EA, you must:**

- a. share your report and completed screening tool with Shahid Mallam, Performance & Improvement Team, who will check and challenge your findings *and*
- b. use the following wording under the Equality & Diversity paragraph in the Cabinet report: *“An initial screening exercise of the equality impact of this decision was undertaken and determined there was no / minimal impact (delete as appropriate) on the Council’s equality duty.” Attach the completed template as an appendix to your report.*

1. **Proposal / Project Title: The Mall, 45 Selborne Rd, Walthamstow E17** [Click here to enter text.](#)

2. **Brief summary of the above: (include main aims, proposed outcomes, recommendations / decisions sought)**

**Full Planning Permission is sought for:**

Part demolition of The Mall, and its replacement and extension by an additional 8,769sqm (Gross External Area) GEA to be used for Shops, food and drink and leisure (Classes A1, A3, D2); Creation of 42 residential units (Use Class C3) up to a maximum height of 49m (Above Ordnance Datum); Redesign of Town Square, including new children’s play space, landscaping (hard and soft) and lighting; Re-design of the access arrangements to The Mall; Creation of new entrance and associated works for residential buildings at ground floor level fronting onto the Town Square; Extension to the basement car parking area of The Mall by 318sqm and the creation of 33 car parking spaces; Re-design of the servicing arrangements for The Mall; Provision of new plant and renewable energy equipment; All associated and ancillary engineering works and operations.

**Outline Permission is sought for:**

Provision of residential dwellings (Use Class C3) in a collection of two low buildings and two tall buildings sitting above the podium created by the development the subject of the full planning permission, ranging in height up to 132.5m AOD; Provision of podium hard and soft landscaping areas, including play space (used by the proposed residential dwellings); Provision of associated services, including waste, refuse, cycle storage, and lighting; Creation of new entrance and servicing areas and associated works for residential buildings at ground floor.

**This application is a departure as it does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated (Town Square).**

**The aim of the proposal is to provide an extension to the existing Mall shopping centre, provide additional housing in the borough and an improved public realm in the form of a new Town Square.**

**The planning application is being presented to the Council’s Planning Committee on 13<sup>th</sup> December 2017. Officer recommendation is to grant conditional planning permission subject to conditions, informatives and completion of a s106 Agreement. The application will be the subject of a referral to the Mayor of London following Committee resolution.**

3. **Considering the equality aims (eliminate unlawful discrimination; advance equality of opportunity; foster good relations) indicate for each protected group whether there may be a positive impact, negative (adverse) impact, or no impact arising from the proposal.**

4. Protected Characteristic (Equality Group) <input checked="" type="checkbox"/>	Positive Impact	Negative Impact	No Impact	Briefly explain your answer. Consider evidence, data and any consultation. <a href="https://www.walthamforest.gov.uk/content/statistics-about-borough">https://www.walthamforest.gov.uk/content/statistics-about-borough</a>
Age	✓	✓	<input type="checkbox"/>	Due regard has been given to both the elderly and the young and children in consideration of this application and this screening opinion. The proposals will result in an enhanced Town Square with a new modern children’s play area, and enhanced retail and leisure facilities. The Town Square, however, will be reduced in size and during construction of the development the existing playspace within the Town Square will be closed. Users of this existing playspace could access nearby parks at Stoneydown Park (Blackhorse Road), Thomas Gamuel Park (Colchester Road), Lloyd

				Park or Chestnuts Field (rear of the Town Hall Campus). Furthermore new housing will be provided which will be accessible to all ages. Enhanced public realm in the immediate vicinity of the site will also be secured via the S278 Agreement as part of any permission granted. Accordingly it is considered that a positive impact on people with these protected characteristics will result.
Disability	✓	<input type="checkbox"/>	<input type="checkbox"/>	<p>Due regard has been given to disabled persons in consideration of this application and this screening opinion. The proposals will result in an enhanced Town Square which will provide more accessible public realm. Furthermore new housing will be provided which will comprise wheelchair accessible accommodation and other housing will be to Lifetime Homes standards. Due to the site's highly accessible location in PTAL terms, and adjacent to Walthamstow Central Underground and Bus Stations the new retail, leisure and residential facilities will be highly accessible to disabled persons who are not travelling by car. For those that are car users there will be dedicated parking in the basement for wheelchair users, both for visitors to the centre and for the wheelchair accessible flats. There will be level access from these disabled car parking spaces in the basement car park to the expanded shopping centre and the residential units. The proposals will also provide basement toilets, which will be reconfigured to include</p> <ul style="list-style-type: none"> <li>• One unisex disabled WC;</li> <li>• Male toilets with 4 cubicles (including one enlarged ambulant disabled cubicle), 5 urinals and hand wash facilities; and</li> <li>• Female toilets with 12 cubicles (including one enlarged ambulant disabled cubicle) and hand wash facilities.</li> </ul> <p>Accordingly it is considered that a positive impact on people with these protected characteristics will result.</p>
Pregnancy and Maternity	✓	<input type="checkbox"/>	<input type="checkbox"/>	<p>Due regard has been given to people who are pregnant or with young children in consideration of this application and this screening opinion. The proposals will result in an enhanced Town Square which will provide more accessible public realm, including to those with prams and pushchairs. Accordingly it is considered that a positive impact on people with these protected characteristics will result.</p>
Race	<input type="checkbox"/>	<input type="checkbox"/>	✓	<p>Due regard has been given to people with these protected characteristics in consideration of this application and this screening opinion. The new Town Square will be accessible to all, as will the new housing, retail and leisure facilities. As such there is no specified impact in relation to people with these protected characteristics.</p>
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	✓	<p>Due regard has been given to people with these protected characteristics in consideration of this application and this screening opinion. The new Town Square</p>

				will be accessible to all, as will the new housing, retail and leisure facilities. As such there is no specified impact in relation to people with these protected characteristics.
Sex (Including Gender Re-assignment)	<input type="checkbox"/>	<input type="checkbox"/>	✓	Due regard has been given to people with these protected characteristics in consideration of this application and this screening opinion. The new Town Square will be accessible to all, as will the new housing, retail and leisure facilities. As such there is no specified impact in relation to people with these protected characteristics.
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	✓	Due regard has been given to people with these protected characteristics in consideration of this application and this screening opinion. The new Town Square will be accessible to all, as will the new housing, retail and leisure facilities. As such there is no specified impact in relation to people with these protected characteristics.
Marriage and Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	✓	Due regard has been given to people with these protected characteristics in consideration of this application and this screening opinion. The new Town Square will be accessible to all, as will the new housing, retail and leisure facilities. As such there is no specified impact in relation to people with these protected characteristics.
<b>5. There are no negative/adverse impact(s)</b> If you have not identified any negative/adverse impacts please briefly explain your answer, providing evidence to support decision.	The proposals have been carefully designed to take account of people with protected characteristics, with smooth and shallow gradients used in the new Town Square (removing the steeper gradients that currently exist in certain areas). The retail, leisure and residential accommodation has/will be designed and constructed to the latest design standards and building regulations standards in respect of accessibility. The proposals will not restrict opportunities for groups with protected characteristics both within the proposed scheme and immediate vicinity, save for in relation to the play space (as set out above).			
<b>6. Describe how opportunities to advance equality and foster good relations for any of the protected characteristics has been taken up (where relevant).</b>	The new Town Square will offer an improved public realm and significantly more attractive environment, which will contribute significantly to fostering good relations by bringing together different groups in this new heart to the town centre. The new and enhanced retail and leisure facilities that are proposed are designed for the benefit of the whole community.			
<b>7. As a result of this screening is a full EA necessary (Please check <input checked="" type="checkbox"/> appropriate box)</b>	<b>Yes</b>	<b>No</b>	<b>Briefly explain your answer.</b>	
	<input type="checkbox"/>	✓	Officers have had due regard to all protected characteristics consider there to be a minimal equalities impact and no need to undertake a full equalities assessment.	
<b>8. Name of Lead Officer: Gavin Chinniah</b>		<b>Job title: Planning Manager</b>		<b>Date screening tool completed: 1<sup>st</sup> December 2017</b>

Signed off by Head of Service: Rob Bristow

Name: Rob Bristow

Date: 04.12.17