

Appendix 3: EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

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| Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal) | Proposed Article 4 direction for the removal of planning permitted development rights for changes of use from Class E to Residential (Class C3) |
| Directorate / Service | Place |
| Lead Officer | Marc Acton Filion |
| Signed Off By (inc date) | |
| Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities) | <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: green; margin-right: 10px;"></div> <div> <p>Proceed with implementation</p> <p>Based on this QA, a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal. The proposal has low relevance to equalities, but does have a positive impact on those with disabilities.</p> </div> </div> |

| Stage | Checklist Area / Question | Yes / No / Unsure | Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify) |
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| 1 | Overview of Proposal | | |
| a | Are the outcomes of the proposals clear? | Yes | The Article 4 direction would provide the opportunity for the Council to consider the impact of the loss of Class E uses in designated locations through a planning application. |


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| | | | <p>This Article 4 direction is necessary to ensure that the policies within the Tower Hamlets Local Plan protecting town centres, office locations and industrial locations remain useable and enforceable. The Local Plan was subject to an EqlA to ensure that the policies would not have any unmitigated impacts on those with protected characteristics and to ensure that they support the objectives of 1) managing growth and shaping change and 2) sharing the benefits of growth.</p> <p>This Article 4 direction will help to ensure that the Local Plan continues to support those objectives.</p> |
| b | Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected? | Yes | The confirmation of the Article 4 direction would bring the direction into force and could positively and negatively affect both the existing and future population of the borough. The equality profile of the affected is provided in section 3b. |
| 2 | Monitoring / Collecting Evidence / Data and Consultation | | |
| a | Is there reliable qualitative and quantitative data to support claims made about impacts? | N/A | The EqlA aims to assess the degree of impact on people with protected characteristics taking into consideration the available information. |
| | Is there sufficient evidence of local/regional/national research that can inform the analysis? | N/A | The degree of potential impacts is considered below, but it is not considered to be exhaustive. |
| b | Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis? | Yes | <p>The Development Management team has provided input.</p> <p>This Article 4 direction builds on the equalities work carried out in relation to the Local Plan, focusing on the objectives used in the Local Plan EqlA.</p> <p>Representations from the public will be invited following the making of the Article 4 direction.</p> |
| c | Is there clear evidence of consultation with stakeholders and users from groups affected by the | N/A | A formal invitation for representations will commence following the making of the Article 4 direction and officers will |


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| | proposal? | | accept representations for a period of 6 weeks. |
| 3 | Assessing Impact and Analysis | | |
| a | Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics? | No | The sources of evidence are not explicit regarding the potential impacts on the nine protected characteristics. |
| b | Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups? | Yes | <p>The proposed Article 4 direction is likely to have a positive impact relative to the status quo on those with a disability by retaining local shops and opportunities for employment in designated town centres and neighbourhood parades.</p> <p>The proposed Article 4 direction is likely to also have a positive impact on those belonging to specific religious groups in the borough who rely on the local businesses by helping to ensure that the businesses that supply their needs are retained.</p> <p>The proposed Article 4 direction could help to protect locations for businesses and services that support racial and ethnic minority communities. As discussed in more detail in the Justification Report (Appendix 2), small businesses in LBTH's town centre's provide important support to new migrants and minority ethnic groups. Therefore, this Article 4 direction could have a positive impact on ethnic and racial minorities.</p> <p>The proposed Article 4 direction is neutral in terms of age (1), gender reassignment (3), pregnancy and maternity (4), sex (7), sexual orientation (8) and marital status (9).</p> <p>Though not legally protected, people on lower incomes are likely to be positively affected through the retention of lower-cost shops within local communities.</p> |
| 4 | Mitigation and Improvement Action Plan | | |
| a | Is there an agreed action plan? | No | There is no agreed action plan in place. |

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| b | Have alternative options been explored? | Yes | Yes, these are included in the main report. |
| 5 | Quality Assurance and Monitoring | | |
| a | Are there arrangements in place to review or audit the implementation of the proposal? | Yes | The proposed Article 4 direction would be monitored through the planning register, i.e. the number of submitted planning application for the change of use from Class E uses to Residential (C3). |
| b | Is it clear how the progress will be monitored to track impact across the protected characteristics? | No | While the implementation of the proposed Article 4 direction will be monitored through the planning register, it is not clear how the impact on the people who share protected characteristics could be monitored. |
| 6 | Reporting Outcomes and Action Plan | | |
| a | Does the executive summary contain sufficient information on the key findings arising from the assessment? | Yes | Whilst the executive summary looks at the overall impact of the Article 4 direction, it also acknowledges a potential impact on the people who share certain protected characteristics. |

Appendix A

(Sample) Equality Assessment Criteria

| Decision | Action | Risk |
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| As a result of performing the QA checklist, it is evident that due regard is not evidenced in the proposal and / or a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share Protected Characteristics. It is recommended that the proposal be suspended until further work or | Suspend – Further Work Required | Red  |

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| analysis is performed – via a the Full Equality Analysis template | | |
| As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share Protected Characteristics and no further actions are recommended at this stage. | Proceed with implementation | Green:  |