

Appendix 1 - Equality Analysis Form

Equality Analysis Template.

Directorate: People Service Area: Public Health and Wellbeing	Lead Officer: Richard White Date completed: 19 th September 2017
Service / Function / Policy / Procedure to be assessed: Hot Food Takeaway Supplementary Planning Document (SPD)	
Is this: New / Proposed Existing/Review Changing (Please tick appropriate box)	Review date:

Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

What are the aims and objectives/purpose of this service, function, policy or procedure?

The draft Supplementary Planning Document (SPD) has been prepared to guide planning decisions relating to hot food takeaways. The SPD will set out the Council's approach to deciding which locations in the City are appropriate for hot food takeaway premises and whether measures are required to minimise impacts on local neighbourhoods.

The Hot Food Takeaway SPD will provide up-to-date planning guidelines for the opening of new hot food takeaways within the city. The SPD is intended to set out a clear process for potential takeaway operators looking to open new premises, including an explanation of the roles that Planning and other non-planning Council services play in the process e.g. Public Protection, Licensing, Highways, etc.

The document has been drafted for the purposes of public consultation. The consultation period will provide the public and stakeholders with an opportunity to comment on the principles set out within the draft SPD. Following this initial consultation, consideration will be given to all representations made before finalising and adopting the SPD.

Once adopted, the SPD policies will apply to future proposals involving hot food takeaways. The SPD principles cannot be applied retrospectively to operating hot food takeaways or premises with an existing extant planning permission.

Public consultation on the draft SPD has potential to improve the quality of the document by involving those likely to be affected in developing the planning policy as well as those with previous experience of the process, i.e. current takeaway owners.

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Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment		√
Advancing equality of opportunity		√
Fostering good community relations	√	

If not relevant to any of the three equality duties and this is agreed by your Head of Service, the Equality Analysis is now complete - please send a copy to the Equality & Diversity Team. **If any of the three equality duties are relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

PART B: Full Equality Analysis.

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

What outcomes are sought and for whom?	N/A
Are there any associated policies, functions, services or procedures?	N/A
If partners (including external partners) are involved in delivering the service, who are they?	N/A

Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the ‘equality strands’, i.e. race, disability, gender, gender re-assignment, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

The SPD is intended to provide clarity and consistency in terms of both process and planning decision-making, of benefit to future owners/operators of hot food takeaways, decision makers and those who may wish to comment on a takeaway application.

The wider City population may also benefit as the SPD will control and minimise any negative environmental impacts that may arise from hot food takeaways, particularly those impacts that affect residential neighbourhoods such as noise, litter/waste, odour, etc.

The draft SPD also suggests a principle which would prevent new takeaways from opening within a certain distance (400m) from all secondary schools within the city. This would support local Public Health and Wellbeing initiatives to promote

healthy lifestyles and to tackle childhood obesity, which is a significant problem in Wolverhampton. The SPD will sit alongside other local measures to tackle the causes of poor health and obesity.

Has there been any consultation with, or input from, customers / service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

The SPD responds to and builds upon the City's 2014 Obesity Call to Action, and aims to reduce the trends towards increasing levels of obesity and poor diet in the City by tackling issues of over-concentration of Hot Food Takeaways and the exposure of particularly vulnerable groups, such as schoolchildren, to Hot Food Takeaways.

The draft SPD has also been subject to the City Council corporate reporting process, with consideration and approval by Cabinet for consultation purposes.

All planning policy documents are required to be subject to at least a 6-week period of public consultation, in accordance with the Council's 'Statement of Community Involvement' (SCI) and the Town and Country Planning (Local Planning) (England) Regulations 2012. The Hot Food Takeaway SPD is currently in draft form and will be subject to formal public consultation during October-November 2017. Any representations received during this consultation period will be considered when finalising the SPD.

Formal public consultation will involve notification of the SPD and the public consultation to the following groups:

- **All statutory and non-statutory planning consultees**
- **Owners/operators of existing takeaways located within the city**
- **Head teachers of all the city's secondary schools**

Copies of the SPD and details of the consultation process will also be published in the local newspaper and will be made available at the City Council offices and in all city libraries. Full details of the consultation process are set out in a separate Consultation Statement; this is a statutory requirement for all Supplementary Planning Documents, as set out in the Town & Country Planning (Local Planning) (England) Regulations 2012. The Consultation Statement

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provides full details of the consultation undertaken during preparation of the SPD and at the formal public consultation stage. The Consultation Statement will be updated at key stages to provide details of any representations received and any amendments to the SPD.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

There have not been any complaints, compliments, satisfaction surveys or customer feedback that are relevant to this assessment

Step 3 – Identifying the negative impact.

a. Is there any negative impact on individuals or groups in the community?

Barriers:

What are the potential or known barriers/impacts for the different 'equality strands' set out below?

Consider:

- **Where** you provide your service, e.g. the facilities/premises;
- **Who** provides it, e.g. are staff trained and representative of the local population/users?
- **How** it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** it is provided, e.g. opening hours?
- **What** is provided, e.g. does the service meet everyone's needs? How do you know?

* Some barriers are justified, e.g. for health or safety reasons, or might be designed to promote equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified, then please indicate which they are and why.

Solutions:

What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met;
- How your actions might help to promote good relations between communities;
- How you might prevent any unintentional future discrimination.

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Equality Themes	Positive Impacts	Negative Impacts identified	Solutions (ways in which you could mitigate the negative impact)
Age (including children, young people and older people)	The SPD proposes the restriction of new takeaways within close proximity of the City's secondary schools. This principle will support other local initiatives to tackle childhood obesity, and therefore has potential to positively benefit the health of secondary school aged children. See SPD Guideline HFT 1.1.		
Disability (including carers)			The SPD will have no negative or positive implications on this group.
Gender (men and women)			The SPD will have no negative or positive implications on this group.
Race (including Gypsies & Travelers and Asylum Seekers)	The restriction on granting planning permission for some Hot Food Takeaways in the areas specified by this policy may disproportionately impact on people from BAME communities who are more likely to operate these businesses in Wolverhampton.		<p>There is no evidence that the SPD will have a negative or positive impact on any specific ethnic group.</p> <p>However, there is a perception that a significant proportion of takeaways are owned, operated and provide employment for minority ethnic groups, and consequently imposing planning controls through the SPD could affect these groups.</p> <p>The SPD will be applicable and will impose planning controls for all future</p>

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			<p>planning applications for any hot food takeaway, regardless of the race/ethnicity of the owners/operators/employees. In determining applications, decisions will consider and balance the relevant factors as set out within the SPD Guidelines.</p> <p>The Equality Analysis concludes that the policy described here is lawful as it defines a proportionate means of achieving a legitimate aim i.e. reducing childhood obesity.</p> <p>N.B. Childhood obesity also affects BAME children and so the positive of the policy will be felt amongst these communities.</p>
Religion or belief (including people of no religion or belief)			The SPD will have no negative or positive implications on this group.
Gender Re-assignment (those that are going or have gone through a transition: male to female or female to male)			The SPD will have no negative or positive implications on this group.
Pregnancy and Maternity			The SPD will have no negative or positive implications on this group.

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Sexual orientation (including gay, lesbian, bisexual and heterosexual)			The SPD will have no negative or positive implications on this group.
Marriage and Civil Partnership			The SPD will have no negative or positive implications on marriage and civil partnerships.
Human Rights			The SPD will have no negative or positive implications on Human Rights.

Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure?
What changes or mitigating actions are proposed?

None

Step 5 – Monitoring

How are you going to monitor the existing service, function, policy or procedure?

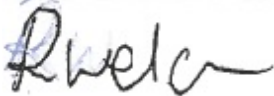
Consultation will take place with those people likely to be affected by the principles set out within the SPD. Details of consultation are outlined above and will be contained within the Consultation Statement.

Monitoring of planning decisions relating to hot food takeaways will continue following adoption of the SPD. This will include monitoring of any impacts on individuals or groups in the community through equalities information gathered.

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
Impacts on individuals or groups in the community taken into consideration in planning decisions for new Hot Food Takeaways	Monitoring of equalities information gathered during planning application process	Richard White, Public Health and Wellbeing	Quarterly

Equality Analysis approved by:

Head of Service: 	Date: 20 th September 2017
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Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team:

