

Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) Background Details - Please list ERIA background details:

ERIA Title and Summary Description	The purpose of this report is to seek the Committee's approval for the revised Planning Enforcement Charter. The Charter sets out how the City of Edinburgh Council will deliver the statutory planning enforcement service in the City.		
Service Area	Division	Head of Service	Service Area Reference No.
PLACE	Place Development	Michael Thain	2017P136

(b) What is being impact assessed? Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
1. Development Management	25/10/2017
2. Local Development Plan	25/10/2017
3. Planning Enforcement	25/10/2017
4.	
5.	

(c) ERIA Team - Please list all ERIA Team Members:

Name	Organisation / Service Area
1. Declan Semple	Place Development, assistant planner
2. Nancy Jamieson	Place Development, team manager
3. David Leslie	Place Development, CPO
4. Michael Thain	Place Development, Head of service

Part 2: Evidence and Impact Assessment

(a) Evidence Base – Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at part 3(i). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
1. Officer knowledge	
2. Facts and figures	
3.	
4.	
5.	

(b) Rights Impact Assessment – Summary - Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

Life	Health	Physical Security	Legal Security	Education and Learning	Standard of Living	Productive and Valued Activities	Individual, Family and Social Life	Identity, Expression and Respect	Participation, Influence and Voice
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Please indicate alongside each identified enhancement or infringement the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Summary of Enhancements of Rights
The Enforcement Charter will enhance citizens participation, influence and voice and standard of living through improving the enforcement service. This will assist in taking action where breaches of planning control have occurred impacting on neighbouring amenity.
Summary of Infringement of Rights. Can these infringements be justified? Are they proportional?
There are no infringements on rights under these proposals.

(c) Equality Impact Assessment – Summary - Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

Age	Disability	Gender Identity	Marriage / Civil partnership	Pregnancy Maternity	Race	Religion/ Belief	Sex	Sexual Orientation
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1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see Section 1b) and relevant evidence (see Section 2a).

Positive Impacts
The Planning Enforcement Charter applies to all parties equally and has no identified positive impacts on the duty to eliminate unlawful discrimination, harassment or victimisation.
Negative Impacts
There are no identified negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts
The Planning Enforcement Charter has no positive impacts on the duty to advance equality of opportunity as it applies equally to all parties.
Negative Impacts
The Planning Enforcement Charter has no negative impacts on the duty to advance equality of opportunity as it applies equally to all parties.

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see Section 1 b) and relevant evidence (see Section 2 a).

Positive Impacts
The Planning Enforcement Charter can foster good relations through investigating breaches of planning control.
Negative Impacts
There will be no negative impacts on the duty to foster good relations

Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(i) Evidence Gaps - Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
1.None	None
2.	
3.	
4.	
5.	

(ii) Recommendations - Please record SMART recommendations to (i) eliminate unlawful practice or infringements of absolute rights, (ii) justify identified infringements of rights or (iii) mitigate identified negative equality impacts.

Recommendation	Responsibility of (name required)	Timescale
1.None		
2.		
3.		
4.		
5.		

(iii) Sign Off - I, the undersigned, am content that: (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base, (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights, (iii) the ERIA recommendations are proportionate and will be delivered, (iv) the results of the ERIA process have informed officer or member decision making, (v) that the record of ERIA has been published on the Council's website / intranet or (vi) that the ERIA record has been reviewed and re-published.

Date	Sign Off (print name and position)	Reason for Sign Off (please indicate which reason/s from list (i) to (vi) above)
25/10/2017	Declan Semple (Assistant Planner)	(i, ii, iv)
9/11/17	Michael Thain, Head of Place Development	I, II, III