

Managing Change of Use in Local Shopping Centres SPD - Equality Impact Analysis Initial Screening

Section 01	Details of Initial Equality Impact Screening Analysis
Financial Year and Quarter	2011 / 2012
Name of policy, strategy, function, project, activity, or programme	Managing Change of Use in Local Shopping Centres - Supplementary Planning Document (SPD)
Q1 What are you looking to achieve?	<p>The draft SPD sets out detailed supplementary planning guidance on the key principles the council will apply when considering planning applications for changes of use of shop units in the borough's local shopping centres.</p> <p>The SPD identifies quotas that will be applied to frontages in the local shopping centres to manage the mix of uses in these centres. The SPD will support the new shopping hierarchy outlined in the Core Strategy 2011 in advance of the adoption of the Development Management Development Plan Document (DPD) programmed for late 2012.</p> <p>Key Principle 1- The quotas in Key Principle 1 limit the percentage of non shopping uses (non-A1 uses) on the street frontage in protected centres in order to maintain a balance of uses appropriate for the type of centre. Allowing some non A1 class uses within key local centres, neighbourhood parades and satellite parades will add to the diversity of the centres. Because key local centres and satellite parades are larger and have wider catchments and offer a greater range of services than neighbourhood parades, it is appropriate that a greater range of non-A1 class uses are allowed in these centres.</p> <p>Key Principle 2 – The criteria in Key Principle 2 provides detail on the considerations that will be brought to mind by the council when considering change of use applications in the three types of local centre, particularly where the quotas are not satisfactorily met. The introduction of criteria such as vacancy and evidence of marketing into the SPD provides further flexibility in the consideration of uses within the centres. A3, A4 and A5 class uses (namely restaurants, cafes, bars and pubs and takeaways) will still be limited to ensure that the centres retain their shopping function for the local community, but other uses such as community services or</p>

small businesses could be permitted subject to meeting the criteria.

**Q2
Who in the main will benefit?**

This section assesses who might benefit from the SPD in terms of the key equality strands. The SPD has been given a score which indicates whether it has a positive (+) or negative (-) impact on the nine protected characteristics and also whether the relevance of the SPD to each protected characteristic is low, medium or high. Where no relevance to a protected characteristic has been identified, and/or it is determined as having a neutral impact it has been marked with a dash (/).

Age	<p>Where age is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p> <p>Promoting accessible retail units within the local centres and parades will help to provide convenient and walkable facilities for all, including older people who are more likely to need level access,. This may assist those with age-related mobility impairments, for example.</p>	M	+
Disability	<p>A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</p> <p>There is likely to be a marginal benefit to disability groups where shops are promoted in accessible locations such as key local centres and neighbourhood parades. In a similar way to Age (above), promoting accessible retail units within local centres and parades will help to provide convenient and walkable facilities for those with mobility impairments (including all age groups) who are more likely to need level access. Both aspects should help to encourage participation by disabled persons in public life.</p>	M	+
Gender reassignment	<p>Gender reassignment is the process of transitioning from one gender to another.</p> <p>The SPD is not seeking to deliver a service for people who have transitioned or are, transitioning and so is not relevant to this protected</p>	/	/

		characteristic.		
	Marriage and Civil Partnership	<p>Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.</p> <p>The law does not require service providers to take into account the impact of what they do on married people and civil partners. The draft SPD objectives have not, so far, emerged as relevant to this protected characteristic because it is not aiming to put in place a service for married people or civil partners (e.g. land use for a registrars service).</p>	/	/
	Pregnancy and maternity	<p>Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</p> <p>There is likely to be a marginal benefit to pregnant women where shops are promoted in accessible locations such as key local centres and neighbourhood parades. This should help pregnant women who need to access the local shops quickly and easily and be a place for meeting. In a similar way to Age and Disability (above), promoting accessible retail facilities within the SPD will help to provide convenient and walkable facilities for those who are more likely to need level access, such as those with small infants, in this case. Additionally, pregnant women are likely to benefit from more accessible facilities, where they do not have to deal with unnecessary physical barriers (e.g. steps and so on)</p>	M	+
	Race	<p>Race refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.</p> <p>Change of use applications in accordance with the SPD objectives will help promote a range of shops and uses within the designated centres</p>	L	+

	which would be available to all racial and ethnic groups.		
Religion/belief (including non-belief)	<p>Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.</p> <p>Change of use applications in accordance with the SPD objectives will help promote a range of shops and uses within the designated centres which would be available to all religious groups.</p>	L	+
Sex	<p>Sex means a man or a woman</p> <p>The SPD will be inclusive to all. However, the particular nature of the SPD for shopping provision will help to benefit women, as they statistically are more likely to be carers and may need access to the shops on a more regular basis than their male counterparts.</p>	M	+
Sexual Orientation	<p>Sexual orientation means whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.</p> <p>The draft SPD objectives have not, so far, emerged as relevant to this protected characteristic because it is not seeking to provide a service (e.g. land use for a service for lesbian, gay, bisexual, or heterosexual people).</p>	/	/

For all protected characteristics: there may be an opportunity within key principle 2 for community groups to benefit as the criteria seeks to provide more flexibility for community uses to locate premises within the centres.

Human Rights and Children's Rights

The provision of accessible shopping meets the requirements in Article 14: right to freedom from discrimination with respect to these rights and freedoms and for Children's Rights:

- The right to have their views respected, and to have their best interests considered at all times (because we are considering through this, access and therefore the interests of children)
- Health and welfare rights, including rights for disabled children, the right to health and health care, and social security (because we are considering through this, access issues for disabled people including children)

	<ul style="list-style-type: none"> ▪ The right to education, leisure, culture and the arts <p>The overall result of the principles is considered to be positive.</p>
<p>Q3 Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p>	<p>Yes. Overall the key principles of the draft SPD are unlikely to have any negative impact on the protected characteristics, and in general the key principles of the SPD will have a positive impact of differing levels on the protected characteristics (except where they are non-applicable). The draft SPD does not distinguish between equality groups but considers provision of accessible local shopping centres for a range of equality groups.</p>
<p>Q4 Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</p>	<p>No. The policy has more of a neutral effect on equality where the benefits are shared across all equality strands with no particular group being disadvantaged by the objectives set out in the SPD.</p>