



**Prosperous Communities  
Committee**

**Date 20<sup>th</sup> March 2018**

**Subject: Local Enforcement Plan (Planning Enforcement)**

Report by:	Head of Paid Service Mark Sturgess
Contact Officer:	Andy Gray Housing and Environmental Enforcement Manager
Purpose / Summary:	To provide Committee with a revised Local Enforcement Plan (Planning Enforcement) and request its approval.

**RECOMMENDATION(S):**

**Elected Members are asked to:**

- a) Note the responses given in regards to the planning enforcement audit
- b) Approve the Local Enforcement Plan as set out in Appendix 1 to come into effect on the 1<sup>st</sup> April 2018

## IMPLICATIONS

### **Legal:**

The legal framework within which the Council operates its planning enforcement function is set out in the policy. The following guidance and legislation applies:

- The Town & Country Planning Act 1990 (as amended)
  - The Town & Country Planning (Use Classes) Order 1987 (as amended)
  - Planning (Listed Buildings & Conservation Area) Act 1990
  - Planning & Compensation Act 1991
  - Planning & Compulsory Purchase Act 2004
  - Localism Act 2011
  - National Planning Policy Framework (March 2010)
  - National Planning Practice Guidance (March 2014)
- <https://www.gov.uk/guidance/ensuring-effective-enforcement>

### **Financial : FIN/156/18/CC**

There are no financial implications within this report.

Works in default may be carried out as part of the enforcement process Any works in default are then recovered via the enforcement or civil debtor process,

**Report agreed at Management Team – FIN/MT/64/18**

**Report agreed at Challenge and Improvement - FIN/144/18/SL**

### **Staffing :**

There are no staffing implications within this report.

### **Equality and Diversity including Human Rights :**

There are not expected to be any adverse impacts on any of the specific user groups in relation to this policy being implemented.

The Policy itself sets out the approach that will be taken and the options available to the Council. Within each specific case

An Equality Impact Assessment has been carried out and is included as Appendix 2.

**Risk Assessment :**

Out of Date Policy: the existing policy requires updating to reflect the current legislative framework and priorities that are in place. The risk is mitigated with the development and approval of a new policy.

Audit: a risk is presented in regards to the “limited assurance” received by Planning Enforcement as part of the wider Development Management audit. This report and subsequent policy mitigates immediately some of the actions identified and proposes actions for addressing the remaining actions.

**Climate Related Risks and Opportunities :**

None noted

**Title and Location of any Background Papers used in the preparation of this report:**

Existing Planning Enforcement Policy:

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-enforcement/>

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

*i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)*

Yes

No

X

**Key Decision:**

*A matter which affects two or more wards, or has significant financial implications*

Yes

X

No

## 1. Introduction

1.1. This report contains an updated version of the Council's Planning Enforcement Policy, which moving forward will be known as the Local Enforcement Plan. This sets out the approach that is taken when dealing with planning enforcement matters.

1.2. The report also provides information in response to the development management audit report completed in September 2017, within which the planning enforcement service received limited assurance.

## 2. Development Management Audit

2.1. The development management audit report completed in September 2017 included within its scope an audit of the planning enforcement work area. The service was given limited assurance as part of the audit.

2.2. The audit clearly identifies that the service are makes effective decisions, evidenced by the upholding of appeals and takes a proportionate, policy based approach to the matters that it deals with.

2.3. The audit found that the service was not meeting performance targets for a number of reasons, including a disparity between the resource available and the service offered.

2.4. The audit identified the following actions and alongside these actions are the steps taken by officers to ensure the actions progressed and completed.

	<b>Audit Action</b>	<b>How Addressed</b>
1	The Council reviews its long term plan for the enforcement service. There is an opportunity to increase resource on a permanent basis and address the backlog of work and performance issues.	<ul style="list-style-type: none"><li>- Increased resources agreed. New officer post advertised and in post from 22/01/18</li><li>- Overall case review to ensure that any backlog is reduced. To take place during Summer 2018.</li><li>- Review of performance measures in line with audit recommendations for progress and delivery in 18/19</li></ul>
2	Alternatively the enforcement policy could be reviewed with a view to and reduce the priority of cases that the Council currently actions.	<ul style="list-style-type: none"><li>- Policy review underway.</li></ul>

3	Reporting case by priority to add some context to reports.	- Review of performance measures to be undertaken for progress and delivery in 18/19
4	Reporting by year to add some context to reports.	- Review of performance measures to be undertaken for progress and delivery in 18/19
5	Closing down old cases or inactive cases to produce a more accurate relevant performance picture.	- Policy amended to reflect this recommendation - Customer Charter to be updated prior to policy implementation to reflect new policy timescales.
6	Defining the process for when cases can be closed off in the policy review.	- Process for closure of cases amended in line with the policy review.
7	Service and policy review to address performance.	- Policy review undertaken

2.5. The audit actions, subject to the Local Enforcement Plan being approved, will now become business as usual and embedded within the day to day work of the service.

### **3. Local Enforcement Plan**

3.1. The National Planning Policy Framework (NPPF) recommends that local planning authorities publish a local enforcement plan to manage planning enforcement proactively and in a way that is appropriate to their area. The plan should set out how the Council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

3.2. The Local Enforcement Plan will replace the previous Planning Enforcement Policy. The principles of the plan and our approach to enforcement are still in line with the overall corporate enforcement policy.

3.3. The proposed Local Enforcement Plan for West Lindsey District Council is attached at appendix 1.

### **4. Feedback from Elected Members and Parish Councils**

4.1. In September 2017, Parish and District Councillors attending training on planning enforcement at the Guildhall. The training was aimed at providing

information in regards to the scope of planning enforcement and to seek feedback on the service.

4.2. The main points to note from this training were as follows:

- It was felt that communication needed to be improved to ensure that customers were up to date with what was happening and subsequently kept up to date.
- The policy position in relation to planning enforcement was not clearly understood. The revised plan will be sent to all Parish and Town Councils and District Councillors subject to approval.
- Further information was required in regards to the actions that may or may not be taken by the Council. The revised plan reflects this and the revised customer charter which will be produced prior to the plan coming into effect will contribute to this area being addressed.

## 5. Proposed Policy Amendments

5.1. The overall approach to enforcement has not been altered within this policy. The main changes that members should note are as follows:

- **Priorities** – reference to “priority” has been removed from the policy, the previous policy contained 4 priorities. These priorities are now referred to in relation to “impact”, of which there is High, Medium and Low impact. Lowest and low priority have been merged and are referred to as low impact.
- **Site Visits** – the proposed plan is clear that where a matter is deemed to be low impact, the approach to dealing with it will reflect this. Site visits will not be carried out as a matter of course for low impact cases.
- **Timescales** – revised timescales for responses, site visits and initial assessment have been added. These are aimed at ensuring resources are focussed on the highest priority cases and to reflect the customer first approach.
- **Powers** – detailed information on each power has been removed and the customer will be directed to the planning guidance on this matter or sent alternative information by officers when their complaint leads to formal action being taken.

## **6. Challenge and Improvement Pre-Scrutiny**

6.1. The Local Enforcement Plan has been considered and commented on by Challenge and Improvement Committee on the 20<sup>th</sup> February 2018. This pre-scrutiny discussed a wide range of topics, the three main areas for feedback related to:

Planning Conditions – members reiterated that they believed these needed to be realistic and not set out in such a way that makes them unenforceable.

Effectiveness – members made it clear that they wished for their constituents to see that any enforcement is effective and that clear breaches are rectified.

Feedback – members felt strongly that the customer service related to enforcement needed to improve in line with the proposals provide within the revised enforcement plan.

6.2. Subject to approval the Local Enforcement Plan will come into effect on the 1<sup>st</sup> of April 2018.

## **7. Recommendations**

Elected Members are asked to:

- a) Note the responses given in regards to the planning enforcement audit
- b) Approve the Local Enforcement Plan as set out in Appendix 1 to come into effect on the 1<sup>st</sup> April 2018



# Local Enforcement Plan

## **1. Introduction**

1.1. The National Planning Policy Framework (NPPF) recommends that local planning authorities publish a local enforcement plan. The plan should set out how the Council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

1.2. This Local Enforcement Plan sets out the Council's priorities for investigation, explains what will be investigated and what will not and the priorities for responses to complaints and the timescales for these responses. Planning enforcement is not statutory and is a discretionary power of Local Planning Authorities. It is not illegal to build something without the benefit of planning permission.

1.1. Paragraph 207 of the NPPF sets out that effective enforcement is important as a means of maintaining public confidence in the planning system, that planning enforcement action is discretionary, and that Local Planning Authorities should act proportionately in responding to suspected breaches of planning control.

1.2. This plan replaces the West Lindsey District Council Planning Enforcement Policy, last revised in 2010.

## **2. Legislation and Guidance**

2.1. Planning enforcement matters are covered within a broad range of guidance and legislation. The most relevant are as follows:

- The Town & Country Planning Act 1990 (as amended)
  - The Town & Country Planning (Use Classes) Order 1987 (as amended)
  - Planning (Listed Buildings & Conservation Area) Act 1990
  - Planning & Compensation Act 1991
  - Planning & Compulsory Purchase Act 2004
  - The Planning Act 2008
  - Localism Act 2011
  - National Planning Policy Framework (March 2010)
  - National Planning Practice Guidance (March 2014)
- <https://www.gov.uk/guidance/ensuring-effective-enforcement>

2.2. The above guidance and legislation provide the scope for the Council to take action, where expedient

against breaches of planning legislation. More information on the legal framework can be found here <http://planningguidance.planningportal.gov.uk/>

### **3. Approach to Enforcement**

- 3.1. The general approach taken to enforcement by the Council is set out in its Corporate Enforcement Policy, this plan operates in conjunction with the policy. As an overview, decisions that are made in relation to enforcement will be consistent, balanced, proportionate and fair and relate to the relevant legislation and consider public interest. The Council's approach is relevant to the risk caused and ensures that we focus on the issues that cause the highest harm.
- 3.2. Within planning enforcement consideration is also given to "expediency". When determining whether or not to take enforcement action the Council has to decide whether or not it is expedient to do so (Section 172 (1) (b) of the Town and Country Planning Act 1990). The key test being whether the breach of planning control would unacceptably affect public amenity.
- 3.3. It would not normally be expedient to take enforcement action where a breach of planning control occurs but where there is;
  - (i) No significant conflict with national or local policy; or
  - (ii) A reasonable prospect that planning permission may be granted, subject to conditions; or
  - (iii) No significant or immediate harm to the amenity or safety of residents or to the environment or areas of acknowledged importance,
- 3.4. These considerations ensure that the Council are not taking enforcement action in regards to matters which are "not expedient" or in regards to matters which are minor or technical which cause no harm to amenity.
- 3.5. The Council will always attempt to persuade an owner or occupier of land to voluntarily remedy any harmful effects of unauthorised development, subject to reasonable timescales. The Council will use its formal enforcement powers as necessary should a voluntary resolution not be forthcoming.
- 3.6. The Council has a power of entry to investigate planning matters provided for under the provisions of Sections 196A of The Town and Country Planning Act 1990 (as amended). Officers can enter land specifically for enforcement purposes. This right is limited to what is regarded as

essential, in particular circumstances, for effective enforcement of planning control.

#### **4. The Planning Enforcement Service**

4.1. Prior to reporting suspected breaches, customers should refer to the Council's website and/or the Planning Portal to ascertain whether the matter is something that can be investigated. The Planning Portal can be accessed via <http://planningguidance.planningportal.gov.uk/>

4.2. Any reports of suspected breaches should be made to the Council via its online reporting system. This ensures that all the relevant information needed to initially consider the breach is provided. It will also enable the Council to determine at the earliest opportunity whether it is a matter that it can deal with. Reports can be made via [www.west-lindsey.gov.uk](http://www.west-lindsey.gov.uk)

4.3. Once a report is received the Council will determine its impact level and investigate accordingly within set timescales (see section 6). All initial reports will be acknowledged. For any case that is not high impact it is our aim to inform customers of our likely course of action within 20 working days of receiving a report.

4.4. Confidentiality for complainants is paramount and the Council will ensure that this will be respected at all times in accordance with the relevant data protection legislation.

4.5. The Council will not pursue reports of the following;

- Boundary disputes
- Neighbour disputes
- Legal covenants
- Damage to property
- Devaluation to property
- Unsafe structures
- Trespass
- Parking disputes
- Cars for sale on the public highway
- Internal alterations (unless a listed building)
- Heights of hedges and trees (can be pursued under other legislation)
- External security lights fixed to property (can be pursued under other legislation)
- Fences and walls in rear gardens (Unless they are considered to have a substantial detrimental effect on residential amenity and/or visual amenity)

The Council will advise, where appropriate, if it can refer the matter to another agency or whether it has any other legislative power to enable it to address the issue. Customers should seek their own legal advice for civil or private matters.

- 4.6. The Council will also not pursue any enforcement complaints that are anonymous or vexatious or complaints which are non-specific or vague in their nature. The Council will attempt to further understand complaints such as this, but will not log them for investigation until the relevant information is obtained. If complaints such as this are received they will only be acted upon in circumstances where there may be an immediate criminal offence or a threat to public safety.

## **5. Breaches of Planning Control**

- 5.1. Enforcement action is necessary to ensure the integrity of the Development Management process and the Council recognises the importance of establishing effective controls over unauthorised development.

- 5.2. A breach of planning control is the carrying out of development without the granting of planning permission from the Council, or deemed permission by a Government Order. Development is defined by Section 55(1) of the Town and Country Planning Act 1990 (as amended) as

**‘the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land’.**

- 5.3. The type of matters that can be considered as breaches of planning control are as follows:

- Failure to comply with any condition or limitation attached by a planning permission
- Unauthorised advertisements
- Unauthorised works to protected trees, trees in a conservation area or protected hedgerows
- Unauthorised building works and/or engineering operations
- Works to a listed building without consent
- Land or buildings that are untidy or in poor condition and affecting the amenity of an area
- A change of use to land or building that has occurred without planning permission

5.4. Any matters that relate to time limits for taking enforcement action will be considered in line with Section 171B of the Town and Country Planning Act (1990).

5.5. In 2018 the Council will be introducing its Community Infrastructure Levy (CIL), in line with the CIL Regulations 2010. The enforcement of the requirements of CIL regulations will be approached in a manner consistent with the Local Enforcement Plan.

## 6. Level of Impact

6.1. To ensure the most effective use of resources all reports that are investigated are assessed for impact and then prioritised. The impact determines the speed within which the case will be investigated and includes the assessment of the type and extent of the harm caused.

6.2. There are three levels of impact;

**High** – i.e. where significant or irreversible harm is likely to be caused if the Council do not act immediately. For example;

- Unauthorised works to listed buildings
- Unauthorised works to trees covered by a Tree Preservation Order (TPO) or in a Conservation area
- Development that causes irreversible demonstrable harm
- Development of an access that could cause significant risk to the public

**Medium** – i.e. where there is significant public concern or where there is potential for significant harm to be caused. For example;

- Breaches of planning conditions
- Unauthorised developments or uses
- Unauthorised advertisements that affect highway safety

**Low** – i.e. smaller scale infringements which do not result in significant or irreversible harm. For example;

- The erection of unauthorised advertisements
- Unauthorised building of walls or fences
- Unauthorised development, which is likely to be permitted development, receive planning permission or has minimal or no impact on local amenities

6.3. For any case that is not high impact it is our aim to inform customers of our likely course of action within 20 working days of receiving a report. Our standards for responding to each level of impact are shown below;

Task	Impact		
	High	Medium	Low
Register and Review	Immediately	Within 3 working days	Within 5 working days
Site Visit	Within 24 hour (excluding weekends)	Within 7 working days (only if necessary)	Within 15 working days (only if necessary)
Customer informed of course of action	Within 2 working days	Within 20 working days	Within 20 working days

6.4. As any investigation commences the impact level of a case may change and we will endeavour to ensure that customers are kept up to date for the duration of the case. After the Council has informed the customer of the initial course of action, the regularity of update will be proportionate to the action that is being taken.

6.5. The level of investigation undertaken for matters that are low impact will be in proportion to the risk that is presented and the quality of information and evidence received. Site visits will only be undertaken where it is necessary to obtain further evidence before determining a course of action. We will not as a matter of course visit all sites and will initially assess all low impact reports in line with the criterion set out in 3.3.

6.6. Where formal enforcement action commences the customer and the land owner will be provided with specific information in relation to the action in order to ensure they understand what action is being taken and the timescales attached to this. These timescales will vary and reflect the impact level given to the specific matter.

6.7. When an investigation is closed, the customer will be advised and the reasons for closure will be explained to them.

6.8. The Council will record and monitor performance in relation to the above timescales alongside other key measures. These will be included within the corporate performance reporting process.

## 7. Interventions and Powers

7.1. There are a variety of formal powers available to the Council in relation to planning enforcement. The Council will, where appropriate, seek to resolve any breaches voluntarily in the first instance.

7.2. When formal powers are used to address specific circumstances the timescales and requirements for these vary depending on the power used. Specific guidance on the powers available can be found on the Councils website and when a specific power is used within a case, the customer will be provided with information in relation to that power. Some of the powers available to the Council are as follows ;

- Planning Contravention Notice (PCN)
- Enforcement Notice
- Breach of Condition Notice (BCN)
- Stop Notice
- Temporary Stop Notice
- Injunction
- Section 215 Notice
- Section 330 Notice
- Listed Building Enforcement Notice
- Repairs Notice
- Discontinuance Notice
- Removal Notice
- Prosecutions in relation to advertisements and TPOs

7.3. For more information on the specific power, related timescales and rights of appeal please refer to <https://www.gov.uk/guidance/ensuring-effective-enforcement> .

7.4. As part of the formal process the Council will also consider carrying out works in default or direct action to directly resolve any breaches that relate to a S215 Notice or an enforcement notice that have not been complied with. The Council will then take steps to recover these costs from the land or property owner.

## **8. Review**

8.1. This plan will be reviewed on a bi-annual basis or as required subject to changes in legislation

## **9. Feedback on Our Service**

9.1. The Council encourages and welcomes feedback on its services. If you wish to provide feedback you can do so by visiting:  
[www.west-lindsey.gov.uk/feedback](http://www.west-lindsey.gov.uk/feedback)

## **Further Information**

## **Housing and Environmental Enforcement Team**

West Lindsey District Council  
The Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA

Phone : 01427 676676

E – Mail: [enforcement@west-lindsey.gov.uk](mailto:enforcement@west-lindsey.gov.uk)

Website: [www.west-lindsey.gov.uk](http://www.west-lindsey.gov.uk)

## Appendix 2

### Part 1: Equality Impact Screening/Pre-Assessment<sup>1</sup>

Name of Policy/Function/Strategy to be assessed: Local Enforcement Plan (Planning Enforcement)	Section/Directorate: Housing & Environmental Enforcement
Name of person responsible for assessment: Andy Gray	Date of Screening: 12/12/17
<b>Policy Aims</b>	
<b>What is the purpose of the policy/function/strategy? What are its intended outcomes?</b>	
<p>The local enforcement plan provides an update to the Planning Enforcement policy from 2010. The plan sets out to customers our approach to planning enforcement and provides information on the relevant legislation, what types of matters will be considered for action and the powers that are available to us.</p> <p>The policy will face scrutiny via the Challenge and Improvement Committee and then be presented to Prosperous Communities Committee for approval.</p>	
<b>Who are the main stakeholders in relation to the policy/function/strategy?</b>	
<p>The main stakeholders are as follows:</p> <ul style="list-style-type: none"><li>• Residents</li><li>• Land and Business Owners</li><li>• Councillors</li><li>• Parish and Town Councils</li><li>• Planning Agents</li></ul>	
<b>Do the identified stakeholders stand to be positively or negatively affected by the policy/function/strategy?</b>	
<p>Positively affected. The plan provides a framework for the Council to ensure that the relevant development management controls are adhered to and sets out how we will address situations where the controls are not.</p> <p>A robust policy and approach to enforcement ensures that the development management process retains its integrity and helps to protect that natural and built environment.</p> <p>Where formal action is taken, it will demonstrate to the stakeholders that the Council are using their formal powers to address situations where regulations are not adhered to.</p>	

<sup>1</sup> Part 1 should be completed by the Lead Officer and signed by the Service Manager. Refer to the [Internal EIA Guidance](#) for more information on what EIAs are, why they are important, when they should be completed, who should be involved, and how they should be done.

**Does this policy/function/strategy support the Council's stated equality objectives? (see overleaf.) Does it serve to impede them? Please explain.**

The plan does not seek to negatively impact upon any specific equality strand. It is designed to ensure that the relevant legislation is adhered to. The main objective that it contributes is objective 4, to promote safe and secure communities by fostering good relations between different groups of people.

The plan provides an objective and fair approach to regulation, which will benefit all parties including those that have identified the potential breach of planning and those that may be subject to enforcement action.

**Preliminary Impact Assessment**

	Yes	No	Unsure
1. Will this policy or function have an impact on:			
a. How services are delivered to the public?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Human Resources Policies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have any aspects of your policy/strategy already been covered by other EIAs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. If yes, please indicate which ones and the dates. Also indicate which new/additional aspects would be covered under this EIA.			

If you answered Yes or Unsure for question 1 please proceed to Part 2 of the EIA, which is to be completed with a small team of people.

Otherwise, if you are satisfied that there would be no additional benefit to completing a full impact assessment (noting that many issues with no apparent relevance may have hidden impacts) then please have your Service Manager sign and date this sheet to indicate that the EIA has been fully completed at this stage.

Manager's Signature:	This document may be published on the website <input checked="" type="checkbox"/>
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## **Equality Objectives**

1. Improve access to public services and basic amenities for elderly and disabled people through more efficient provision of Council services to sustain and improve their quality of life
2. Improve opportunities for youth to effectively engage in the community and to develop employment skills
3. Reduce mental and physical health inequalities within the district by providing support and promoting an active and healthy population
4. Promote safe and secure communities by fostering good relations between different groups of people.
5. Ensure participation and community engagement from all sectors of society for an accessible and connected district

## Part 2: Equality Impact Assessment<sup>2</sup>

### Identifying Potential Equality Issues

Use the information in Part 1, any other supporting documents, and the questions below to aid the group's discussion on the presence of potential equality issues.

- What do you know already about equality impact or need?

As the proposed plan is one that is required in order for the Council to carry out its duties in relation to planning enforcement no considerations have been made in specific relation to equality in its production.

- Is there any indication that particular features of this policy/function will create problems for specific groups?

No

- Is there any indication that particular features of this policy/function will benefit specific groups or advance equality between different groups of people?

No

### Evidence<sup>3</sup>

It is difficult to achieve an effective EIA without good evidence. Answer the questions below about the evidence relating to the project/policy/function.

#### What are the existing sources of evidence and mechanisms for gathering data?

The existing planning enforcement policy has been in place since 2010 and evidence is gathered in relation to its effectiveness on a monthly and annual basis.

It is important that users of the revised plan can understand the Council's approach to enforcement in order to ensure that they recognise what can and cannot be achieved by it. The plan itself will be made as accessible as possible and officers working to the plan will ensure that customers are provided with clear information in relation to it.

#### Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy or function?

In most cases there will be a complainant and a land owner. Both have different needs and the plan helps to ensure that the approach we take is consistent and that it ensures that we understands both points of view prior to proceeding with any action, where appropriate.

#### Is there any evidence, or other reason to believe, that there is a higher or lower level of participation or uptake among different groups?

None

<sup>2</sup> Part 2 should be completed by the Policy/Project Lead with the help of a team of people invited to assist.

<sup>3</sup> See the "Evidence Collection and Data Use" section of the [Internal EIA Guidance](#).

**Does this policy/project impact a particular area of the District? Have there been any demographic changes or trends locally?**

The plan covers the whole district and ensures that the same approach to enforcement is taken across the whole area.

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**Is there any informal feedback from managers, staff or voluntary organisations?**

Informal feedback from Parish and District Councillors provided evidence to enable the policy to be updated. This was mainly in regards to timescale for the taking of formal action and the communication of updates in regards to cases.

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**Are there gaps in the data or our knowledge? What further evidence is needed to understand the impact upon equality?**

Information relating to equality groups is not collected as part of the reporting process. This could potentially be worked into the customer first programme. It is not believed that this would change the approach to enforcement as the breach of regulations will not consider equality aspects in regards to the proposed course of action.

**Impact**  
 Based on the identification of potential equality issues and the supporting evidence, the team can try to determine the impact of the policy/project/service/function on different groups.

Does the data show different impact upon different groups?

Yes  No

If yes, which groups are affected?

Group	May particularly benefit	May adversely impact	No impact anticipated
People from different ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Women	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Men	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maternity/pregnancy impact	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disabled people or carers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
People from different faith groups	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lesbian, gay or bisexual people	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Older or younger people	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

People in rural locations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Married people or people in civil partnerships	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Group cont'd</b>	<b>May particularly benefit</b>	<b>May adversely impact</b>	<b>No impact anticipated</b>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain the potential benefits or adverse impacts listed above.

### Recommendations

Please select a recommended course of action and, where appropriate, explain your choice.

No major change needed

Adjust the policy

Adverse impact but continue

Stop and remove the policy

Future actions:

Ensure plan is reviewed annually and any amendments required are made

Ensure plan is available in a variety of formats

Lead Signature:



Date<sup>4</sup>:12/12/17

<sup>4</sup> What happens next? – See the “Understanding the EIA process” section of the [Internal EIA Guidance](#).