

EQUALITY IMPACT ASSESSMENT

Name of Policy	Supplementary Planning Document on Hot Food Takeaways: Consultation Draft
Date of Assessment	24/07/2008
Directorate	Environment and Regeneration
Head of Service	Shifa Mustafa
Names and Roles of the people carrying out the EIA	Gordon Glenday (Head of Spatial Planning)/ Janine Xavier (Planning Policy Officer)
Why is the Equality Impact Assessment being done?	New Policy

1. INTRODUCTION AND BACKGROUND

- 1.1. The Supplementary Planning Document (SPD) Consultation Draft on Hot Food Takeaways has been prepared to provide further detail on the existing policies in the Council's adopted Unitary Development Plan (2006). This SPD responds to concerns raised by the public and highlighted in the Sustainable Communities Strategy, over the noticed proliferation of Hot Food Takeaways across the borough. The SPD aims to provide clear guidance to control their proliferation and to mitigate their adverse impacts on the character and amenity of the borough.
- 1.2. This policy affects all wards in the borough and it is a universal policy.

2. PROFILE OF GROUPS AFFECTED AS CUSTOMERS AND/OR STAFF

2.1.1 Age Equality

All age groups will benefit, but young people and children are likely to receive the greatest direct benefit.

2.1.2 Disability equality

Disabled persons will benefit particularly in relation to encouraging facilities to be accessible to all.

2.1.3 Gender equality

No specific impact on gender equality.

2.1.4 **Race equality**

There is anecdotal evidence suggesting that the majority of hot food takeaway units in the borough are owned by or provide employment primarily for persons from Black and Minority Ethnic (BAME) communities. Increased planning controls on these establishments are therefore likely to have a greater impact on these communities. As a planning authority, our role is to weigh up the benefits and losses that may result from proposed policies, and put forward justified solutions aimed at maximising benefit to the community as a whole.

Existing concerns relating to the deterioration of the public realm as a result of the increasing numbers of hot food takeaways, coupled with the known adverse impact on community health associated with poor quality foods often produced by such establishments, are considered to outweigh the adverse impact the implementation of the proposals in this document will have on the boroughs' BAME communities.

2.1.5 **Religion/Beliefs**

No specific impact on religious equality

2.1.6 **Sexual Orientation**

No impact on specific sexual equality

3. **QUESTIONS THIS ASSESSMENT ADDRESSES**

3.1 **What kind of equality impact may there be?**

Both positive and negative equality impacts are expected

3.2 **How significant is it in terms of its nature and the number of people likely to be affected?**

The Supplementary Planning Document on Hot Food Takeaways (Consultation Draft) will be used to determine whether or not proposals for hot food takeaways will either be approved or refused across the borough. The entire borough is likely to benefit however the greatest direct benefit is likely to be felt by the children, young people and people with a physical disabilities.

That said, there is some concern that BAME groups are likely to be more disadvantaged as a result of this proposal - the numbers affected are likely to represent a small proportion of the entire BAME community in the borough.

3.3 **Is the impact positive or negative (or is there a potential for both)?**

There is potential for both positive and negative impacts.

A strategy to tackle the adverse impact of hot food takeaways on environmental health, on residential amenity, on the public realm and on community health is likely to lead to greater benefits and a positive impact for all the residents in the borough.

Positive impact

There is likely to be a positive impact on people with physical disabilities. The proposals can be used to ensure that future developments integrate mechanisms and physical alterations aimed at providing easily accessible facilities. Disabled users are considered from the onset to ensure facilities are provided to meet their needs.

The document places greater emphasis on ensuring proposals consider issues around litter and waste disposal, in an effort to improve the public realm.

Community Safety and antisocial behaviour is tackled within the document, requiring a contribution where necessary from the operator to fund any necessary equipment e.g. CCTV, aimed at deterring and reducing the occurrence of crime and antisocial behaviour in and around proposed hot food takeaways.

Health Equality – In the long term, the document aims to reduce the number of new hot food takeaways in the borough. Often Hot Food Takeaways supply foods high in fat, salt and sugar to the community. By reducing the numbers of such establishments in the borough, we aim to encourage healthy eating habits and improve community health

Negative impact

Often Hot Food Takeaways meet the needs of those persons on lower incomes in the borough, providing cheaply priced food to fit their lower budgets. This tougher guidance is likely to reduce the numbers of new hot food takeaways across the borough; hence it might be considered that these lower income persons may be disadvantaged. It is felt however that there are already sufficient numbers of such establishments to continue to meet this need for cheap food sources.

Furthermore, encouraging healthier lifestyles regardless of income is on balance, a greater priority when considered against the issue of encouraging the provision of cheap, and not necessarily more healthy food options.

A small proportion of the BAME community is likely to be disadvantaged, in particular, the entrepreneurs who may have considered opening hot food takeaways in the borough and the persons those businesses would likely have employed. Based on these policies, entrepreneurs may think

twice about investing in Waltham Forest. This emphasises the need for a Council wide partnership approach to be taken to facilitate a practical solution to mitigate these potential negative effects.

3.4 On what aspects of the Equality Duties will this impact be?

Approving the Supplementary Planning Document on Hot Food Takeaways for consultation will help the council meet its equalities duties

- Promoting equality of opportunity between disabled people and non-disabled people
- Encourage the participation of disabled people in public life
- Promoting the opportunity for all members of the public to access healthier food options by reducing the number of less healthy food facilities available (N.B We are not saying that all hot food takeaways produce unhealthy food, however, it is recognised that a large proportion do).

3.5 Could the impact constitute unlawful discrimination?

No the impact could not be constituted as unlawful.

3.6 What further information is required to gauge the probability and extent of the impact?

No further information is required.

3.7 Where and how can that information be obtained?

N/A

4. ACTION PLANNING QUESTIONS

4.1 What action do we need to take to reduce negative impact?

Ensure that as a priority, the council places emphasis on developing skills within the population to encourage particularly the potentially disadvantaged BAME groups. The Council needs to ensure that these groups/persons are given the skills to be employable in other sectors of the community. With regard to the potential entrepreneurs, the Council should encourage them to invest in the borough through other outlets by ensuring the means for such activity and the information regarding other investment opportunities is made available to them.

Other departments responsible for supporting business strategies and business owners may be able to step forward and provide solutions to support the potentially negative impact on the BAME community.

4.2 If the action proposed will not fully mitigate adverse consequences for equality, or if the decision is to take no action, why is this, and can we justify it?

The action will mitigate this consequence.

4.3 Can any further action be taken to promote equality of opportunity in relation to any of the equality strands?

N/A

4.4 Do we need to undertake any further consultation or research?

Not required

4.5 Conclusions and Next Steps

Links with the relevant departments involved in economic development should be established to ensure options are available to encourage skills development and provide investment opportunities.

4.6 The key areas, which were improved as a result of this assessment, were:

Recognition of the need to ensure BAME communities in particular are adequately provided for in light of the potential disadvantage this SPD may cause for them.

5. ACTION PLAN

Action required	Lead Officer	Time Scale	Comments/ Outcomes
Create links with the economic development department	Planning Policy Officer	Prior to documents' adoption	N/A