

PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

| 1. Title | |
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| Equality Analysis title: Outcome of the Maltby Neighbourhood Development Plan Referendum | |
| Date of Equality Analysis (EA): 10 January 2024 | |
| Directorate: Regeneration & Environment | Service area: Planning Policy Team Planning, Regeneration and Transport |
| Lead Manager: Rachel Lindsay, Planning Officer | Contact number: 01709 254746 |
| Is this a: | |
| <input checked="" type="checkbox"/> Strategy / Policy | <input type="checkbox"/> Service / Function |
| <input type="checkbox"/> Other | |
| If other, please specify | |

2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance

| Name | Organisation | Role (eg service user, managers, service specialist) |
|----------------|--------------|---|
| Andy Duncan | RMBC | Planning Policy Manager |
| Rachel Lindsay | RMBC | Planning Officer |
| Winsze Lam | RMBC | Assistant Planning Policy Manager |

3. What is already known? - see page 10 of Equality Screening and Analysis Guidance

Aim/Scope (who the Policy/Service affects and intended outcomes if known)

This may include a group/s identified by a protected characteristic, others groups or stakeholder/s e.g. service users, employees, partners, members, suppliers etc.)

The proposal will affect groups identified by protected characteristics (along with the rest of the population) in Maltby.

What equality information is available? (Include any engagement undertaken)

Information on the protected characteristics of planning applicants or consultees (either in relation to planning applications or to the preparation of planning documents) is not collected by the Council.

The independent examiner (in the Maltby Neighbourhood Development Plan Report of Independent Examination 15 November 2023) concluded that the neighbourhood plan is compatible with the Convention Rights, and does not breach, and is otherwise compatible with, retained EU obligations. In accordance with Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended) the Council is required to 'make' (adopt) a neighbourhood plan following a successful referendum and providing the Local Planning Authority (LPA) is satisfied that retained EU and human rights obligations (the basic conditions) have been met. The Maltby Neighbourhood Plan was successful at referendum and in the opinion of the Local Planning Authority it meets the basic conditions, so in accordance with the Act the neighbourhood plan should now be adopted as part of the statutory development plan for Rotherham Borough.

Consultation and engagement

Neighbourhood plans are subject to consultation at various stages of their preparation. For example, the draft plan is subject to formal consultation for a minimum of six weeks before being submitted to the Council. The Local Planning Authority is then required to carry out its own statutory consultation on the plan before it can be submitted to examination stage. This allows ample opportunity for input and influence from any interested stakeholder as well as statutory consultees. The neighbourhood plan is examined by an independent examiner and must be accompanied by a consultation statement demonstrating that the legal requirements of consultation have been met. Ultimately the neighbourhood plan is voted for by the local community at a referendum (hence the importance that the community are engaged with the plan from an early stage).

Are there any gaps in the information that you are aware of?

No

What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?

The Plan will be monitored by the Town Council in conjunction with Rotherham MBC on at least an annual basis. Progress against the policies contained in the Plan will form the core of the monitoring activity, but other data collected and reported at the parish level relevant to the delivery of the Plan will also be included. Where the need for change is identified, the Town Council will work with Rotherham MBC to produce updates and amendments where necessary, in accordance with neighbourhood plan rules and regulations.

Engagement undertaken with customers. (date and group(s) consulted and key findings)

November 2017

Community Consultation Event

To raise awareness of the Plan, help understand the community's key concerns and potential opportunities and priorities for inclusion in the Plan.

July 2019 – May 2020

Consultation on the working draft and final draft of the Maltby Masterplan and Maltby Design Code

To gain views and feedback of Rotherham MBC on the initial draft and final drafts. They were also considered at the community consultation drop-in event held in November 2019 (see below).

November 2019

A community consultation drop in event.

To inform the community of the aims and background of the Plan; to outline progress to date; and to gain views and feedback on the initial draft of the Plan before the finalised draft goes out for formal consultation.

April 2020

An initial draft of the Plan was circulated to Rotherham MBC for comment, to gain their input and thoughts on the initial draft.

November 2021 to January 2022

Regulation 14 Consultation Statutory six-week consultation

To receive feedback on the draft Plan.

Regulation 16 Consultation Statutory consultation between 30 June and 21 August 2023.

To receive feedback on the draft Plan.

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| | <p>A statement of representations procedure was published setting out the documents submitted by the qualifying body, where they could be inspected, and how comments could be submitted.</p> <p><u>8 February 2024</u> The neighbourhood plan was successful at referendum.</p> |
| Engagement undertaken with staff (date and group(s) consulted and key findings) | Relevant partners have been consulted at key stages of developing the Neighbourhood Plan and in returning comments in its preparation. |

4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)

How does the Policy/Service meet the needs of different communities and groups? (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)

Rotherham's communities in Maltby Parish will benefit from having a Neighbourhood Plan that the community has prepared, that seeks to provide locally formulated policies and proposals that are specific to Maltby and reflect the needs and aspirations of its community.

The Independent Examiner (in the Maltby Neighbourhood Plan Report of the Independent Examiner 2020) concluded from his examination that the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics as identified in the Equality Act 2010.

Does your Policy/Service present any problems or barriers to communities or Groups?

The Local Planning Authority (LPA) considers the Maltby Neighbourhood Plan to have met the basic conditions and has been successful at referendum. As such the Council would be in breach of its statutory duty under the Town and County Planning Act 1990 if the Plan is not adopted. If not adopted, it is considered the Council is at risk of legal challenge. The plan's non-adoption would be detrimental to the affected communities.

Does the Service/Policy provide any positive impact/s including improvements or remove barriers?

Rotherham's communities in Maltby Parish will benefit from having the decision being made on the adoption of the Neighbourhood Plan.

What affect will the Policy/Service have on community relations? (may also need to consider activity which may be perceived as benefiting one group at the expense of another)

The Council would be in breach of its statutory duty under the Town and County Planning Act 1990 if the Plan is not adopted and this would have a detrimental effect on community relations.

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

5. Summary of findings and Equality Analysis Action Plan

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance

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| Title of analysis: Outcome of the Maltby Neighbourhood Development Plan Referendum |
| Directorate and service area: Planning Policy Team, Planning, Regeneration and Transport, Regeneration & Environment Services |
| Lead Manager: Rachel Lindsay, Planning Officer |
| Summary of findings: |
| Rotherham’s communities in Maltby will benefit from having a Neighbourhood Plan that the community has prepared, that seeks to provide locally formulated policies and proposals that are specific to Maltby and reflects the needs and aspirations of its community. The Independent Examiner (in the Maltby Neighbourhood Development Plan Report of Independent Examination January 2022) concluded that the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics as identified in the Equality Act 2010. The Local Planning Authority (LPA) considers the Maltby Neighbourhood Plan meets the basic conditions and has been successful at referendum, as such the Council would be in breach of its statutory duty under the Town and County Planning Act 1990 if the Plan is not adopted. If not adopted, it is considered the Council is at risk of legal challenge. |

| Action/Target | State Protected Characteristics as listed below | Target date (MM/YY) |
|--|---|---------------------|
| The Neighbourhood Planning Regulations require Local Authorities to ‘make’ (adopt) a Neighbourhood Plan within eight weeks of the date of the referendum i.e. by 4 April 2024. | All | 4 April 2024 |

*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups

| 6. Governance, ownership and approval | | |
|--|---|-----------|
| Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member. | | |
| Name | Job title | Date |
| Paul Woodcock | Strategic Director – Regeneration & Environment | |
| Councillor Lelliott | Cabinet Member for Jobs and the Local Economy | 9.02.2024 |

| 7. Publishing | |
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| The Equality Analysis will act as evidence that due regard to equality and diversity has been given. | |
| If this Equality Analysis relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision a copy of the completed document should be attached as an appendix and published alongside the relevant report. | |
| A copy should also be sent to equality@rotherham.gov.uk For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page. | |
| Date Equality Analysis completed | 10 January 2024 |
| Report title and date | Outcome of the Maltby Neighbourhood Development Plan Referendum 28 February 2024 |
| Date report sent for publication | |
| Date Equality Analysis sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk | 18 January 2024 |