

Item 11

HW/FUL/19/00520 – Inclusive Play Area

The following to be added to the Officer's Report, but the officer's recommendation is not changed.

Equalities

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached "in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application. Officers consider that the application does not give rise to any concerns in respect of the above.

In relation to this application, protected characteristic (age and disability) have been identified by virtue of the nature of an inclusive play area. Nevertheless, the officer has taken this in full into the consideration of this application.