

Equality Analysis

Name of policy, service function, or restructure requiring an Equality Analysis	Statutory Nuisance Investigation and Progression 'Nuisance Policy'
Department	Environment and Place
Service Area	Regulatory Services
Date Equality Analysis Undertaken	06 July 2023
To be reviewed every:	Significant policy change.

1. Names and roles of staff carrying out this Equality Analysis (EA):

Name	Role	Service Area
Elizabeth Georgeou	Head of Regulatory Services	Public Protection
Sheira Fox	Service Manager, Regulatory Services	Public Protection

2. Evidence Base

2.1 Sources of information

Table 1

Source of information	Reason for using (e.g., likely impact on a particular group).
Residents Perception Survey 2021	68% of residents reported addressing crime and anti-social behaviour as being more important, but only 1% identified noise

	<p>pollution as being important to enable a good quality of life in Southend.</p> <p>27% of residents stated that personal safety was a key barrier to community involvement.</p>
<p>Noise complaints increased by over 50% during first lockdown year in England (cieh.org)</p>	<p>To demonstrate level of demand</p>
<p>Noise pollution is a major problem, both for human health and the environment — European Environment Agency (europa.eu)</p>	<p>To demonstrate the impact of the statutory nuisance of noise on an individual.</p>
<p>R(Fisher) v Durham County Council</p>	<p>Statutory nuisance and the Equalities Act 2010</p>
<p>Renting social housing - GOV.UK Ethnicity facts and figures (ethnicity-facts-figures.service.gov.uk)</p>	<p>Ethnicity of those in renting social housing</p>

2.2 Gaps in information or data

There is no research available to suggest that this policy which is generic across the city will disadvantage any protected designation.

3. Carrying out your analysis

3.1 Impact assessment

The policy details how the Council responds to its duty to investigate statutory nuisance complaints. It provides guidance on enforcement responsibilities and how other agencies can be contacted, where they have responsibility. It also details what constitutes a statutory nuisance and explains common misconceptions that may be had about nuisance.

The policy sets out:

- The issues that the council can assist with.
- How the council proactively reduces statutory nuisance complaints.
- What is expected from service users to assist with an investigation.
- Prioritises the service to maximise the support across Southend.
- Provides for support where additional needs are identified.
- Defines what it considers to be a reasonable investigation.

The policy provides transparency on how investigations are carried out. It allows, where there is already support for this process, for in-house processes to be exhausted in the first instance so that the resource allows all residents and businesses to access the service.

The service is available to all those that the Council has legal powers to assist with. South Essex Homes residents who have complaints against South Essex Homes are excluded from this policy as the Council does not have any power to enforce against itself. There is a complaints process in place for South Essex Homes residents and to residents of registered social landlords once they have exhausted the resource available to resolve matters the council may be able to assist, and tenants can contact the Council.

Where someone is identified as vulnerable, whether it is the person complaining, or the person being complained about, the policy requires that support for that individual will be sought.

In the case cited above the court dismissed the claim of Mrs Fisher, that whilst Mrs Fisher was disabled the service of the notice was a last resort for the local authority. The local authority had tried to manage her outbursts and offered various support and services, including offering to rehouse her to more suitable housing.

There is a higher percentage of other than white British residents in social housing than white British with a lower weekly income than white British.

Table 2

	Impact - Please tick				
	Yes			No	Unclear
	Positive	Negative	Neutral		
Age (including looked after children)			Yes		
Disability			Yes		
Gender Reassignment			Yes		
Marriage and civil partnership			Yes		
Pregnancy and maternity			Yes		
Race			Yes		
Religion or belief			Yes		

Sex			Yes		
Sexual orientation			Yes		
Carers			Yes		
Socio-economic			Yes		

3.2 Results of your analysis

Where an impact has been identified above, outline what the impact of the policy, service function or restructure is on members of the protected characteristics groups using the table below:

Table 3

	Potential Impact
Age	The policy recognises vulnerable people and has procedures in place to ensure that they are supported
Disability	The policy recognises vulnerable people and has procedures in place to ensure that they are supported.
Gender reassignment	None
Marriage and civil partnership	None
Pregnancy and maternity	None
Race	The policy allows for those living within social housing to contact the Council should the support in place from their social landlord not resolve the nuisance.
Religion or belief	None
Sex	None
Sexual orientation	None
Carers	None

Socio-economic	The policy allows for those living within social housing to contact the Council should the procedures in place not resolve the nuisance.
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4. Community Impact


N/A


5. Equality Analysis Action Plan

Table 4

Planned action	Objective	Who	When	How will this be monitored (e.g., via team/service plans)
If complaints are received regarding the discharge of this service these will reviewed against the policy	To ensure that there is an equitable service across all tenures and available for all residents	Elizabeth Georgeou	Where complaints are received relating to the process	Through the complaints process.

The conclusions of this Equality Assessment will be embedded in future decision making

Signed (lead officer): 

Signed (Executive Director: Alan Richards): 

Once signed, please send a copy of the completed EA (and, if applicable, CCIA)

to Angela Dress Angeladress@southend.gov.uk.

All Equality Analyses are recorded on Pentana and reported to CMT and DMT's on a quarterly basis.