
Report to Clackmannanshire Council

Date of Meeting: 27 November 2025

Subject: Housing - Garden Structure Permissions Policy

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. This report outlines the work undertaken to develop the Housing Service Garden Structure Permissions Policy and sets out a policy position for how garden structures will be managed within the council's social housing stock.
- 1.2. The Policy underpins the Council's commitment in ensuring that Council tenants can enjoy and make the full use of their homes, including their garden areas where applicable.

2.0 Recommendations

- 2.1. It is recommended that Council:
 - 2.1.1. Approve the Housing Garden Structure Permissions Policy (attached as Appendix 1)

3.0 Considerations

Garden Structure Permissions Policy

- 3.1. The Policy was developed following a comprehensive benchmarking exercise involving other local authorities and registered social landlords across Scotland. This process considered their respective local procedures and practices related to granting structural permissions, ensuring that the Policy reflects a broad understanding of sector-wide approaches.
- 3.2. Clackmannanshire Tenants and Residents Federation were also invited to give their comments on the draft policy document, to ensure that the Policy reflects tenants lived experiences and meets the needs of the tenants.
- 3.3. The Policy was reviewed against the Council's strategic aims and objectives and as set out within our Keeping the Promise Plan. Given the nature of the policy, it was determined that its provisions do not have a direct bearing on the principles of The Promise, but the approach taken reflects the commitment to uphold those principles throughout policy development.

- 3.4. The Policy took into account UNCRC requirements for all public bodies to present information in accessible format for all children and young people. In doing so, an additional plain English summary version of the Garden Structure Permission policy has been developed (attached as Appendix 2).
- 3.5. The Policy (Appendix 1) outlines the rules that tenants must follow when wishing to erect any garden structures, including the requirements for planning permissions and/or building warrants under existing legislation. Within the scope of the policy, garden structures are freestanding structures such as sheds, summerhouses, greenhouses and garages.
- 3.6. Tenants must obtain written permission from the Housing Service before installing any structures. Such written permission will be condition on the tenants to apply for any necessary consents including planning permissions and/or building warrants, if necessary, before proceeding with the works. Tenants will be responsible for the upkeep of and safety of any structures that they install at their cost. The Housing Service will not be responsible for the repair and or maintenance of anything installed by the tenants.
- 3.7. Any requests for garden structures must adhere to the standards set out by the Housing Service. To gain approval, the proposed structure must satisfy the following requirements:
- The structure must not exceed 8 feet by 12 feet in size or must not occupy more than 30% of the total garden area, this must take into consideration and include for any other structures already in place; the council may exercise discretion when considering separate structures that exceed this area limit, this would be specific to circumstances.
 - The structure must not block daylight to neighbouring properties, including windows and gardens;
 - Where structures are located near the property, adequate space must be left to allow property maintenance to foundations, walls, and ladder access for roof or gutter maintenance;
 - The structure must be made of materials approved by Clackmannanshire Council;
 - The structure must not be used for the housing of any livestock or the storing of inflammable material (a material that has the ability to ignite without an external source of ignition);
 - If the tenant intends to provide light or power to the structure, any connection to the domestic power supply must be installed by a qualified electrician;
 - The tenants must comply with all Fire Safety Regulations, Planning Permission and Building Warrant (if required). The Housing Service may ask for evidence to be provided by the tenants to confirm compliance.
- 3.8. Only tenants with access to a rear private garden may apply for the permission to erect a structure. Requests for structures in communal areas or gardens at the front of the property will generally not be permitted, unless the

structure is required to accommodate the needs of tenants with disabilities and is intended for the storage of mobility devices.

- 3.9. Once a tenant submits a written request to erect a garden structure, the Service will assess and verify the request. Following the assessment, the Housing Service will issue a decision which as confirmed may be subject to additional conditions.
- 3.10. The Policy provides a link to the Council's Planning and Building Standard's Service to ensure the tenants have the relevant information to progress any such applications.
- 3.11. The Policy confirms that tenants must not commence any works until the necessary consents have been received.
- 3.12. The Policy provides for where the garden structure does not comply with the requirements set out in paragraphs 3.5 to 3.7 and 3.10 of this report with the ability of the Housing Service to request that the tenant remove the same.
- 3.13. The Housing Service may grant retrospective permission in circumstances where a structure has already been erected without prior approval, provided that the structure meets all relevant requirements and conditions outlined as outlined in paragraphs 3.6 and 3.9.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

5.1. Financial Details

- 5.2. None

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report * no significant financial implications

Yes ☒

5.4. Staffing

There are no staffing implications from this report

6.0 Exempt Reports

- 6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities**

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐

Our families; children and young people will have the best possible start in life ☒

Women and girls will be confident and aspirational, and achieve their full potential ☒

Our communities will be resilient and empowered so that they can thrive and flourish ☒

(2) **Council Policies**

Complies with relevant Council Policies ☒

8.0 Impact Assessments

8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Yes ☒

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1. Housing Garden Structure Permissions Policy

Appendix 2. Housing Garden Structure Permissions Child-Friendly Policy Summary

Appendix 3. Equality and Fairer Scotland Impact Assessment

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

Author(s)

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Approved by

NAME	DESIGNATION	SIGNATURE
Kevin Wells	Strategic Director – Place	



Clackmannanshire Council
Housing Service
Garden Structure Permissions Policy
November 2025



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1. Scope of the policy

Clackmannanshire Council is committed to supporting its tenants in enjoying and making full use of their homes, including their gardens where applicable. This Policy provides a framework for how the Council's Housing Service will deal with garden structure permission requests made by tenants.

The Policy outlines the rules that tenants must follow when planning to erect any garden structures. This includes situations where planning permission and/or building warrants may be required under existing legislation.

The Policy applies only to freestanding garden structures such as sheds, summerhouses, greenhouses, and garages. It does not apply to house extensions, any applications for extensions should be pursued through the Council's Planning Department in the first instance.

This Policy supports the aims of Clackmannanshire's Local Development Plan and should be read in conjunction with Clackmannanshire Council's Scottish Secure and Short Scottish Secure Tenancy agreements.

2. Aims of the policy

The policy aims to:

- Ensure safety of Council homes and reduce hazards by obtaining and adhering to the relevant consents under planning and building standards legislation;
- Provide clear guidance to tenants on permissions for garden structures, allowing them to enjoy their homes fully and responsibly;
- Set standards for size, location and quality of garden structures to protect the rights and amenities of all tenants and residents.

3. Legal Framework

Information in relation to Planning and Building Standards and any consents required can be located on the Council's website: [Planning & Building Standards | Clackmannanshire Council](#).

4. Tenant's Responsibilities

In accordance with Clackmannanshire Council's Tenancy Agreements, tenants must obtain written permission from the Housing Service before making alterations to their home or garden, including decorating the exterior of the property as well as installing new fixtures or fittings, erecting garages, sheds, pigeon lofts, greenhouses, fences, walls, or any other permanent or semi-permanent structure.

Tenants are responsible for applying and obtaining any planning permissions and/or building warrants when planning to erect a structure before proceeding with the works (if such consent is required).



Tenants are responsible, at their sole cost, for the upkeep and safety of any structures that are installed with the permission of the Housing Service. The Housing Service will not be responsible for any repair and/or maintenance of anything installed by the tenant or belonging to the tenant which the tenant would be entitled to remove from the house or garden.

Tenants must restore and make good the garden to its original condition when the tenancy ends, making good all damage to the garden area as a result of the structure installed at the property. Where the Tenant fails to restore and make good any damage then the Housing Service may recharge for any work it requires to be carried out in order to implement the above in accordance with the Council's Rechargeable Repairs Policy.

If tenants carry out any alternations or improvements without the consent of the Housing Service, the Service will be entitled to remove the structure (without the consent of the Tenant) and restore the house/garden to its previous condition during or at the end of the tenancy, and recharge the tenant for this work.

5. Requesting for Permission

Tenants wishing to erect a garden structure must submit a request to the Tenancy Management Team in writing. The request must include a detailed plan for the proposed structure, including its size and intended use.

5.1. Criteria for Permissible Structures

Any garden structure erected by the tenants must adhere to specific standards set out by Clackmannanshire Council's Housing Service and as noted below. As confirmed, above all, necessary planning and building standards approval, if required, should be obtained by the tenants. Any works in the erection of the structure must cause minimal disruption to other tenants and neighbours.

To gain approval, the proposed structure must satisfy the following requirements:

- The structure must not exceed 8 feet by 12 feet in size or must not occupy more than 30% of the total garden area, this must take into consideration and include for any other structures already in place; the council may exercise discretion when considering separate structures that exceed this area limit, this would be specific to circumstances.
- The structure must not block daylight to neighbouring properties, including windows and gardens;
- Where structures are located near the property, adequate space must be left to allow property maintenance to foundations, walls, and ladder access for roof or gutter maintenance;
- The structure must be made of materials approved by Clackmannanshire Council;
- The structure must not be used for the housing of any livestock (including cats and dogs) or the storing of inflammable material;
- If the tenant intends to provide light or power to the structure, any connection to the domestic power supply must be installed by a qualified electrician;



- The tenants must comply with all Fire Safety Regulations, Planning Permission and Building Warrant (if required). The Housing Service may ask for evidence to be provided by the tenants to confirm compliance.

Only tenants with access to a rear private garden may apply for the permission to erect a structure. Requests for structures in communal areas or gardens at the front of the property will not be permitted, unless the structure is required to accommodate the needs of tenants with disabilities and is intended for the storage of mobility devices.

Structures must not be used for commercial purposes.

6. Responding to Request

6.1. Assessing the Request

Once the tenant submits a written request to erect a garden structure, a Council Officer will arrange a visit to the property to assess and verify the details of the request. During this visit, the Officer will review the proposed location of the structure and consider its proximity to boundaries, neighbouring properties, communal walls, and any access paths that may be affected.

6.2. Making a Decision

Following the assessment, the Housing Service will issue a decision. When considering granting permission, the Service will take into account:

- The impact of the structure on surrounding properties;
- The reasonableness and practicality of the request;
- Whether the proposed structure falls within the scope of ‘permitted development’;
- Whether the structure requires planning permission and/or a building warrant.
- The footprint and height of the proposed structure and its intended use.

The Housing Service may also decide to approve the request subject to additional conditions such as, the quality and nature of the work. In doing so, the Housing Service will have regard to the cost of complying with the condition.

In line with planning legislation, certain types of buildings and structures can be built in the garden or land around a dwellinghouse or flat (known as front or rear curtilage) without the need for planning permissions. These types of structures are known as permitted developments. For further information on permitted developments, please visit Clackmannanshire Council’s [Planning & Building Standards webpage](#).



Where the proposed structure requires planning permission and/or a building warrant, the Housing Service will grant permission to erect the structure in principle and will direct the tenant to submit an application to Clackmannanshire Council's Planning and Building Standards Services for the relevant consents before any works can commence.

Where planning permission and/or a building warrant is required for the proposed structure, the tenants will provide copies of the relevant consents to the Housing Service as soon as reasonably practical but in any event no later than 1 month from the date of granting the same.

Where a tenant is aggrieved by a refusal to grant the application or any condition imposed, they may appeal to the Sheriff Court.

7. Carrying out the Works

The tenant must not begin any works until they have received all necessary consents from the Housing Service, and where necessary, the Planning Authority and Building Standards Services.

The Housing Service will advise the tenant of its decision within one month of receipt of the application.

Following approval and upon completion of the works, the tenant must notify the Housing Service. Upon completion of the works the tenants will provide the Housing Service with a copy of the Certificate of Completion (if necessary under Building Standards). The Housing Service may also carry out an inspection to ensure that the works have been completed in compliance with any conditions contained in the Housing Service's letter of consent. satisfactorily and in compliance with all relevant requirements. It is the responsibility of the tenant to ensure compliance with Planning and or Building Standards consents.

The ongoing use of the structure must not cause a nuisance or annoyance to neighbouring residents. Where this occurs, the Council reserves the right to instruct the immediate removal of the structure either by the tenant (in the first instance) or by council officers or appointed persons acting on the Council's behalf, this may be rechargeable to the tenants.

8. Retrospective Permission

In cases where unauthorised structures have been reported or identified, the tenants will be required to contact the Housing Service on notification.

The Housing Service may grant retrospective consent to the unauthorised structure provided such structure is in compliance with the terms and conditions of this policy. Where planning permission and/or building warrant is required and not obtained, the Housing Service will notify the Planning Authority and Building Standards where enforcement action may be taken against the tenants. In addition, the Housing Service may look to remove the structure and recharge all costs associated with such removal from the tenants.

9. Equal Opportunities and Diversity



Clackmannanshire Council is committed to the elimination of unlawful discrimination, advancing equality of opportunity and fostering good relations between people.

The Council believes that equality of opportunity should be a guiding principle in all of its activities. The Council aims to ensure that its commitment to equality is embedded in all council services and in the organisations that it funds.

In accordance with the Equality Act 2010, the Council is actively working towards the elimination of policies and practices that discriminate unfairly on grounds including age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race including colour, nationality, ethnic or national origin; religion or belief; sex; and sexual orientation.

10. Privacy Statement

Clackmannanshire Council must adhere with its legal obligations under Data Protection Legislation as set out in the Data Protection Act 2018 and UK General Protection Regulation (GDPR).

In order to provide the required and/or requested services, the Council will collect, store and process relevant personal information or data.

Personal information may also be shared with other partner agencies and organisations.

Personal information will be kept securely, as long as required by law and/or by specific service requirements. Once the data is no longer required, it will be securely disposed of. The Council has a Record Retention Schedule which sets out the period of time and reasons for keeping particular records. The Retention Schedule is available on request.

Under the Data Protection Act 2018 and the Freedom of Information(Scotland) Act 2002, individuals have the right to access personal information and data held about them by Clackmannanshire Council as well as the right to access information from records held by the Council.

To submit a Subject Access or Freedom of Information request, please follow [the link](#).

To make a complaint in relation to the Council's handling and processing of personal data and information, please contact the [Information Commissioner's Office](#).

For further information on Clackmannanshire Council's data protection practices, please visit the Council's [Data Protection Statement](#). For the Council's Data Protection Policy, please follow the [link](#). For further information on freedom of information laws, please visit the [Scottish Information Commissioner webpage](#).

11. Complaints

If the tenant is dissatisfied with the provided services and/or the standards of service, please follow the Council's Complaints Procedure. Complaints can be made in person, in writing, by



email or online. For further information on the Complaints Procedure and how to make a complaint, please visit the [Council's Complaints Procedure webpage](#).

If the tenant remains dissatisfied with the final decision or the way the complaint has been handled following the Council's Complaints Handling Procedure, they can make a complaint to the Scottish Public Services Ombudsman (SPSO) by completing a [complaints form found online](#) or calling on 0800 377 7330.

For further information on how to make a complaint to SPSO, please visit the [SPSO website](#).

12. Appeals

Where a tenant has submitted an application for permission to erect a garden structure to Clackmannanshire Council's Planning and Building Standards Services and is dissatisfied with the outcome, they have the right to appeal.

For further information on how to make an appeal, please visit Clackmannanshire Council's [Planning & Building Standards webpage](#).

13. Monitoring and Reviewing

The policy will be continuously monitored to ensure that it is performing efficiently against the aims set out in the policy.

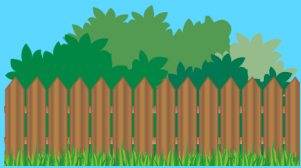
The Council will review and evaluate this policy every 3 years to ensure the adherence to the relevant legislation and statutory guidance as well as changes in organisational practices and policies.

Garden Structure Permissions Policy

Child-Friendly Version



We want everyone to enjoy their homes, including their gardens. If you live in a council house and want to put something like a shed, greenhouse, or summerhouse in your garden, there are some rules you need to follow.



Before you build anything, you must ask us for permission. You'll need to tell us what you want to build, how big it will be, and what you'll use it for. You might also need special permission called planning permission or a building warrant, depending on what you're building and where.



Only people who have their own back garden can build something. You can't build in shared gardens or in front of your house unless it's for something important like storing a wheelchair or mobility scooter.



Once you've asked for permission, we will visit your home to check everything. We'll look at where you want to put the structure and make sure it won't cause problems for other people. Then we'll decide if you can go ahead.



If you've already built something without asking, you'll need to apply for permission afterwards. We will check it and let you know if it's okay. If it's not, you'll have to fix it or take it down. When you move out of your house, you must return the garden to how it was before. If you don't, we might charge you for fixing it.



Clackmannanshire
Council

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

Equality and Fairer Scotland Impact Assessment (EFSIA)

Summary of Assessment

Title:

Housing Service Garden Structures Permissions Policy

Key findings from this assessment (or reason why an EFSIA is not required):

The policy outlines how Clackmannanshire Council's Housing Service will process tenant requests to erect garden structures. It provides clear guidance on permissions, safety standards, and compliance with planning and building regulations. Based on available evidence, the proposal is unlikely to impact any protected characteristics under the Equality Act 2010.

Summary of actions taken because of this assessment:

The policy was scoped with internal stakeholders in August/September 2025. All requests for garden structures will be assessed on an individual basis and tenants will be advised of any potential implications for building regulations and whether planning permissions and/or building warrants. The Policy aims to ensure transparency and consistency in decision-making.

Ongoing actions beyond implementation of the proposal include:

Visibility and Communication: Promote awareness of the policy and eligibility criteria among tenants for any garden structure permissions.

Review: The EFSIA will be revisited during the scheduled policy review.

Lead person(s) for this assessment:

Monika Bicev, Policy Officer (Housing)

Senior officer approval of assessment:

DATE:

Equality and Fairer Scotland Impact Assessment (EFSIA)

An Equality and Fairer Scotland Impact Assessment (EFSIA) must be completed in relation to any decisions, activities, policies, strategies or proposals of the Council (referred to as 'proposal' in this document). The first stage of the assessment process will determine the level of impact assessment required.

This form should be completed using the guidance contained in the document: EQUALITY AND FAIRER SCOTLAND IMPACT ASSESSMENT (Final Guidance). Please read the guidance before completing this form.

The aim of this assessment is to allow you to critically assess:

- the impact of the proposal on those with protected characteristics and, where relevant, affected by socio-economic disadvantage (referred to as 'equality groups' in this document);
- whether the Council is meeting its legal requirements in terms of Public Sector Equality Duty and the Fairer Scotland Duty;
- whether any measures need to be put in place to ensure any negative impacts are eliminated or minimised.

The Fairer Scotland Duty requires public authorities to pay 'due regard' to how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making **strategic decisions**. Strategic decisions are key, high-level decisions such as decisions about setting priorities, allocating resources, delivery or implementation and commissioning services and all decisions that go to Council or committee for approval.

Step A – Confirm the details of your proposal

1. Describe the aims, objectives and purpose of the proposal.

Clackmannanshire Council's Garden Structures Permissions Policy sets out the framework by which the Housing Service will deal with garden structure permission request made by tenants.

The policy outlines the rules that tenants must follow when planning to erect any garden structures, which includes the considerations for any planning permissions and/or building warrants in line with Building Regulations.

The specific aims of the policy are to:

- Provide clear guidance to tenants on permissions for garden structures, allowing them to enjoy their homes fully and responsibly;
- Ensure safety of Council homes and reduce hazards by adhering to building regulations;
- Set standards for size, location and quality of garden structures to protect the rights and amenities of all tenants and residents.

2. Why is the proposal required?

The Garden Structures Permissions Policy is required to establish a clear, consistent and transparent framework for how the Housing Service will assess and approve/decline any requests made by tenants to erect a garden structure. The Policy provides tenants with clarity as to what the Service deems to be reasonable and permissible, general rules surrounding permitted developments and planned developments in line with Building Regulations. Additionally, it guides the procedures and operational considerations of the Service, equipping responsible Housing Officers with knowledge and confidence to permit tenants to make alterations to the exterior of their properties by erecting new garden structures.

3. Who is affected by the proposal?

The proposal affects any Clackmannanshire Council tenant households who wish to build garden structures within their gardens.

4. What other Council policies or activities may be related to this proposal? The EFSIAs for related policies might help you understand potential impacts.

This Policy draws on contractual rights and responsibilities found within Clackmannanshire Council's Scottish Secure and Short Scottish Secure Tenancy Agreements.

5. Is the proposal a strategic decision? If so, please complete the steps below in relation to socio-economic disadvantage. If not, please state why it is not a strategic decision:

This is a policy-level decision, not a strategic one. It sets out how the Council's Housing Service will process and assess tenants' requests to erect structures within gardens, and is closely linked with day-to-day operations of the Housing Service, rather than key strategic decisions which determine the Service priority-setting and service delivery.

Step B – Consider the level of EFSIA required

You should consider the available evidence and data relevant to your proposal. You should gather information in order to:

- *help you to understand the importance of your proposal for those from equality groups,*
- *inform the depth of EFSIA you need to do (this should be proportionate to the potential impact), and*
- *provide justification for the outcome, including where it is agreed an EFSIA is not required.*

6. What information is available about the experience of those with protected characteristics in relation to this proposal? Does the proposal relate to an area where there are already known inequalities? Refer to the guidance for sources of evidence and complete the table below.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Age	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey 2023	According to the Scottish Census 2022, there were a total 12,652 individuals living social rented sector across Clackmannanshire. 29% of those individuals were aged 0-15, followed by 25% who were aged 50 to 64 and 23% of individuals aged 35 to 49. In terms of household composition, findings from the Tenant Satisfaction and Aspiration Survey 2023 show that 22.4% of households consist of one adult aged 60 and over, 19.2% are single-parent families with at least one child under 16, and 18% are one-adult households under the age of 60. As the proposal relates to any Clackmannanshire Council households requesting to erect a structure within their garden, it is unlikely that the Policy will have an impact on this protected characteristic.
Disability	Draft HNDA Scottish Census 2022 Tenant Satisfaction and Aspiration Survey The Scottish House Condition Survey 2017-19	According to the Scottish Census 2022, 24% of individuals living in Clackmannanshire's social rented sector report having a long-term illness, disease, or condition, and 10% report having a mental health condition. Household-level data from the Scottish House Condition Survey 2017–2019 shows that long-term sickness or disability is particularly prevalent in the social rented sector, with 58% of households reporting at least one member with a long-term sickness or disability. Further findings from Clackmannanshire Council's Tenant Satisfaction and Aspiration Survey 2023 indicate that 14.4% of the tenant base identify as being permanently sick or disabled. Whilst evidence shows that there is significant number of disabled households across Clackmannanshire's social rented sector, it is unlikely that disability is a factor in requests for and approvals for garden structures.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Race	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	The Council's Tenant Satisfaction and Aspiration Survey indicates that 96% of tenants identify as being of Scottish ethnicity. According to the Scottish Census 2022, 359 individuals who identified as belonging to other ethnic groups lived in Clackmannanshire's social rented sector. Whilst the vast majority of Clackmannanshire Council's tenant household are comprised of individuals who identify as 'White', it is unlikely that race is a factor in proposals associated with requests, permissions and refusals for garden structures within Council properties.
Sex	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	According to Clackmannanshire Council's Tenant Satisfaction and Aspiration Survey, the sex split among Council tenants is broadly even, with 50% male and 49% female. It is unlikely that sex is a factor in proposals associated with requests, permissions and refusals for garden structures within Council properties.
Gender Reassignment	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	The Scottish Census (2022) identifies that 0.44% of people aged 16 and over in Scotland identify as transgender, with Clackmannanshire's rate slightly lower at 0.35% (151 individuals). Clackmannanshire Council's Tenant Satisfaction and Aspiration Survey 2023 reported no tenants currently identifying as transgender within Council housing. While there is limited information available on the experiences of this protected characteristic both locally and nationally, it is unlikely that this protected characteristic would be impacted by the proposals set out by the Policy.
Sexual orientation	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	According to the 2022 Census, 1,343 individuals (3.12%) aged 16 and over in Clackmannanshire identify as LGB+.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
		While there is limited information available on the experiences of this protected characteristic both locally and nationally, it is unlikely that this protected characteristic would be impacted by the proposals set out by the Policy.
Religion or Belief	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	According to the 2022 Scottish Census, 58.33% of individuals in Clackmannanshire reported having no religion. In 2022, Clackmannanshire's Social Rented Sector. There is no evidence to suggest that religion or belief would impact how individuals experience the proposals set out in the Property Adaptations Policy. The policy is needs-based and focused on medical and mobility requirements, regardless of religious affiliation or belief.
Pregnancy or maternity	Scottish Census 2022	Given that the policy proposals relate to the requests, approvals and rejections for garden structures, it is unlikely that the proposals will impact this protected characteristic.
Marriage or civil partnership (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)	-	Not applicable, not an employment decision.
Socio economic disadvantage (if required)	-	Not applicable, not a strategic decision

- 7. Based on the evidence above, is there relevance to some or all of the equality groups? No
If yes or unclear, proceed to further steps and complete full EFSIA**

If no, explain why below and then proceed to Step E:

The proposals outlined in this policy relate to Council tenants' right to request permission to make alterations to their property, specifically, to erect garden structures. Where applicable, these structures are intended to support tenants in enjoying and making full use of their homes and gardens

The policy itself does not directly impact any of the protected characteristics under the Equality Act. Where applications for garden structures are refused, the reasons are typically linked to statutory requirements such as Planning Permission or Building Warrants. These are governed by external legislation and not by discretionary decisions made by the Housing Service.

It is therefore considered unlikely that the proposals will have any direct or indirect impact on individuals with protected characteristics. When a tenant submits a request, Housing Service staff will meet with them in person to assess the proposal and determine whether further permissions are required from the Planning Department. The Service will ensure that tenants are fully informed of all relevant requirements and processes.

Step C – Stakeholder engagement

This step will help you to address any gaps in evidence identified in Step B. Engagement with people who may be affected by a proposal can help clarify the impact it will have on different equality groups. Sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your proposal on equality groups.

- 8. Based on the outcome of your assessment of the evidence under Step B, please detail the groups you intend to engage with or any further research that is required in order to allow you to fully assess the impact of the proposal on these groups. If you decide not to engage with stakeholders, please state why not:**

- 9. Please detail the outcome of any further engagement, consultation and/or research carried out:**

Step D - Impact on equality groups and steps to address this

10. Consider the impact of the proposal in relation to each protected characteristic under each aim of the general duty:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

If relevant, consider socio-economic impact.

Age	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Disability	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				

potential to advance equality of opportunity	X			
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Race	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sex	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Gender Reassignment	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Sexual Orientation	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Religion or Belief	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				

potential for developing good relations				
potential to advance equality of opportunity				

Pregnancy/maternity	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination				
potential for developing good relations				
potential to advance equality of opportunity				

Marriage/civil partnership	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)				

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Socio-economic disadvantage	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Yes	No	No impact	
(If required) Will the proposal reduce inequalities of outcome caused by socio-economic disadvantage?			X	Not applicable to this proposal

11. Describe how the assessment might affect the proposal or project timeline?

Examples of the items you should consider here include, but are not limited to:

- **Communication plan:** do you need to communicate with people affected by proposal in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach certain groups?
- **Cost:** do you propose any actions because of this assessment which will incur additional cost?
- **Resources:** do the actions you propose require additional or specialist resource to deliver them?
- **Timing:** will you need to build more time into the project plan to undertake research, consult or to complete any actions identified in this assessment?

12. **Having considered the potential or actual impacts of your proposal, you should now record the outcome of this assessment.** Choose from one of the following:

Please select (X)	Implications for the proposal
	No major change Your assessment demonstrates that the proposal shows no risk of unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.
	Adjust the proposal and/or implement mitigations You have identified ways of modifying the proposal to avoid discrimination or to better advance equality of opportunity or foster good relations. In addition, or alternatively, you will introduce measures to mitigate any negative impacts. Adjustments and mitigations should be recorded in the tables under Step D above and summarised in the summary sheet at the front of the document.
	Continue the proposal with adverse impact The proposal will continue despite the potential for adverse impact. Any proposal which results in direct discrimination is likely to be unlawful and should be stopped and advice taken. Any proposal which results in indirect discrimination should be objectively justified and the basis for this set out in the tables under Step D above and summarised in the summary sheet at the front of the document. If objective justification is not possible, the proposal should be stopped whilst advice is taken.
	Stop the proposal The proposal will not be implemented due to adverse effects that are not justified and cannot be mitigated.

Step E - Discuss and review the assessment with decision-makers

- 13. You must discuss the findings of this assessment at each stage with senior decision makers during the lifetime of the proposal and before you finalise the assessment. Record details of these discussions and decisions taken below:**

Step F – Post-implementation actions and monitoring impact

It is important to continue to monitor the impact of your proposal on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

- 14. Record any post-implementation actions required.**

Promote the visibility of the Policy and ensure tenants are aware of eligibility criteria for erecting garden structures, including any requirements for planning permissions.

- 15. Note here how you intend to monitor the impact of this proposal on equality groups.**

Requests for garden structures may be reviewed, taking into account the individual characteristics of the tenant and the nature of the request, to determine whether those requests have any potential bearing on the equality groups.

- 16. Note here when the EFSIA will be reviewed as part of the post-implementation review of the proposal:**

The EFSIA will be reviewed concurrently with the scheduled review of the Policy.

Step G – Assessment sign off and approval

Lead person(s) for this assessment: Monika Bicev

Signed: MBicev

Date:

Senior officer approval of assessment:

Signed:

Date:

All full EFSIAs must be published on the Council's website as soon as possible after the decision is made to implement the proposal.