North Hertfordshire District Council

Equality Impact Assessment

Local Plan 2011-2031

April 2017

1. Legal Background

The Equality Act 2010

1.1   The Equality Act 2010, which came into force in October 2010, protects nine characteristics comprising:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

1.2   When a person feels that they have not been fairly treated because of any of the characteristics it is regarded as unlawful discrimination.

The Public Sector Equality Duty

1.3   Section 149 of The Equality Act 2010 is also called the Public Sector Equality Duty. North Hertfordshire District Council has a statutory obligation to comply with the requirements of the Duty. This involves carrying out our functions in a way that gives due regard to the need to:

- Remove discrimination, harassment, victimisation and any other conduct that is unlawful under this Act.
- Promote equal opportunities between people who share a protected characteristic and those who do not.
- Encourage good relations between people who share a protected characteristic and those who do not.

2. What is an Equality Impact Assessment (EqIA)?

2.1   Equality Impact Assessment is a process that helps to evidence and understand the impacts that our decisions might have on different types of people, and improve them where we can. These decisions can relate to existing services, policies and functions, procurement exercises, plans for future changes and new projects.

2.2   EqIA is designed to help us think about both positive and negative impacts on people and look at how to avoid disadvantage or further improve our services.

2.3   The aim is to make sure that we plan, develop and deliver fair and inclusive services and that we promote equality and positive relationships between the different communities that we serve.

3. Purpose and process of an EqIA

3.1   EqIAs help us to:

- Consider the differing needs of people in our community and workforce.
- Demonstrate to all of our stakeholders that we place great importance on meeting and understanding the needs of different residents and employees.
- Ensure that decisions are made in a fair, transparent and accountable way.
- Focus our activity on delivering positive outcomes for our communities instead of being process-driven.
- Meet our legislative requirements under the Equality Act 2010 and Public Sector Equality Duty.

Considerations

3.2   The aim of the EqIA is to demonstrate that we have given due regard to the potential impact on people and have taken action as far as is practical and reasonable.

- How will different groups of people be affected if the decision is implemented as planned?
- Does the data and evidence collected highlight problems that need to be addressed, such as discrimination and harassment?
- Does the evidence suggest increased or lower than expected uptake, access or participation by different groups?
- Are there any rules, requirements or regulations around it that might affect accessibility?
- Is there evidence of better outcomes for different groups?
- Are current measures in place and having a positive impact on particular groups?

Evidence of potential impact

3.3   This involves collecting, analysing and recording information and data relating to the protected characteristics or any other groups that may be affected. Examples can include:

- Service user data
- Results of consultation, involvement activities or surveys
- Feedback from service users on their outcomes and experiences
- Information about the District and local communities such as Census data
- Comparisons made with similar policies / services in other departments or authorities
- Recommendations from inspections, audit reports and reviews
- National, regional and local research findings
- Information from partners, trade unions and local groups from the voluntary and community sector.

Opportunities to promote equality and inclusion

3.4   In making an appropriate assessment of the opportunities to promote equality and inclusion, it is helpful to consider the following:

- What more can we do to positively impact on these groups?
- Is there an opportunity to improve access and outcomes for different groups?

- How can communications be used more effectively?
- Is there an opportunity to promote positive attitudes and good relations between different groups?

What do we still need to find out?

3.5 Following an equalities assessment, it may be deduced that there are gaps in the evidence and information. Where this is the case, the following should be considered:

- What gaps in evidence and information have been identified?
- How can these gaps be filled?
- When will this information be captured and reviewed in completing this EqIA?

Consultation

3.6 As a co-operative council, we aim to involve our staff, communities and stakeholders in decision-making as much as possible. This should always be proportionate to the scale of the decision being made, how many people might be affected or interested and the level of impact it will have.

- How have the views and knowledge of staff who will be delivering the service been considered? Have staff more generally been able to contribute?
- What have your customers fed back?
- Have you consulted the voluntary and community sector in making your decision? How will they be engaged in future?
- Have you drawn on the knowledge of partnering organisations?
- How have other stakeholder been able to contribute and what have they said?

Conclusion and actions

3.7 The equalities assessment may identify a range of impacts and in some cases these need further consideration and actions. In determining this, the following considerations may be helpful:

- Have inequalities, inclusions issues or opportunities to further improve equality and inclusion been identified?
- What adjustments have been made to your initial plan as a result of this EqIA?
- If you are continuing as planned or are stopping altogether, what are the reasons?
- What can be done to prevent, minimise or mitigate any negative or neutral impacts identified?
- How can you help people who are vulnerable, stereotyped or marginalised?
- What opportunities are there to remove discrimination and harassment, promote equal opportunities and encourage better relations amongst our communities?
- How could your function be more accessible to people who are underrepresented or do not currently use your service?

4. Identifying whether the Local Plan requires an EqIA

North Hertfordshire Local Plan 2011 – 2031

4.1 The council is currently preparing a new Local Plan that will replace the 1996 Local Plan.

4.2 Once adopted, the new Local Plan will cover the period 2011-2031 and will set targets for new homes, employment and retail development. It will also identify areas of land suitable for development, and will set out what infrastructure is needed to support development.

Document	North Hertfordshire Local Plan
Does it affect staff, service users or the wider community?	Yes
Has it been identified as being important to particular groups of people?	Yes
Does it or could it potentially affect different groups of people differently (unequal)?	Yes
Does it relate to an area where there are known inequalities or exclusion issues?	Yes
Will it have an impact on how other organisations operate?	Yes
Is there potential for it to cause controversy or affect the council's reputation as a public service provider?	Yes

Where a positive impact is likely, will this help to:	North Hertfordshire Local Plan
Remove discrimination and harassment?	Yes
Promote equal opportunities?	Yes
Encourage good relations?	Yes

Summary

4.3 The outcome of this screening exercise identifies that a Full Equality Impact Assessment should be undertaken. This is also in light of the significant number of people that could be affected by the Local Plan, as well as the significance of the effect (both positive and negative).

The North Hertfordshire Local Plan

4.4 The plan-led system is established in the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework (NPPF). This means that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

4.5 The Local Plan consists of a series of strategic and detailed policies, as well as specific site allocations. Along with national policies and guidance (NPPF and

Planning Practice Guidance (PPG)), the Local Plan will be used to determine planning applications submitted to the Council.

What is being assessed?	North Hertfordshire Local Plan
Lead Assessor	Laura Allen
Assessment Team	Louise Symes Nigel Smith Clare Skeels David Hill Helen Leitch Reuben Ayavoo
Start date	2011
End date	2031
Date of EqIA review	Review of the North Hertfordshire Local Plan subsequent to Adoption

What positive measures are in place (if any) to help fulfil our legislative duties to:	
Remove discrimination and harassment	Implementation of the Local Plan policies, following adoption.
Promote equal opportunities	Implementation of the Local Plan policies, following adoption.
Encourage good relations	Implementation of the Local Plan policies,following adoption.

In assessing the potential impact on people, are there any overall comments that you would like to make?	The assessment records whether a policy has a positive or negative impact on a person that exhibits a protected characteristic or not. In some cases this may only affect certain people within that characteristic. For instance, a policy could be recorded as positive when considering 'Age', as the policy has a positive impact for older people, although other age groups would be unaffected. The assessment reviews the impact of each policy against each characteristic independently, and not relative to one another.

5. **Evidence and impact assessment**

5.1   The tables below summarise some of the key findings emerging from the analysis recorded in Appendix A.

Age	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

Older people

Over the plan period, there will be a substantial increase in the number of and proportion of older residents in North Hertfordshire.

Policies SP8 Housing and HS4 Supported, sheltered and older persons housing set out that the plan will seek to provide the right sort of homes for older residents. On Strategic Sites, non- residential institution (C2 use class) provision will be required, and on sites of over 100 dwellings, an element of older persons housing (C3 use class) will be required, which will benefit older people in the District.

Policies HS6 Relatives' and dependants' accommodation recognises the wider trend of people living in more independent forms of accommodation, and allows for additional residential accommodation to be provided alongside an existing dwelling. This may serve to strengthen family ties.

For those with a disability connected with older age, please refer to 'Disability' below.

Younger people

The price of housing in North Hertfordshire is a key issue and many local residents are unable to afford housing without some form of assistance. At least one out of every three new homes built over the plan period will be Affordable Housing to meet local needs. This will be achieved through a tiered approach requiring up to 40% provision on allocated sites, with 100% affordable schemes appropriate in some instances.

Policy SP8 seeks to increase housing provision across the District in a strategic and coordinated way. Policies HS2 Affordable Housing and HS3 Housing Mix will benefit younger sections of the community (including those on lower incomes) to access different types of housing, such as Starter Homes or shared ownership units.

Children

Policy SP10 e. will benefit children across the District as there is the requirement to work with Hertfordshire County Council and education providers to ensure the planning system contributes to the provision of sufficient school places. School place requirements is also outlined where required for the Strategic Sites in Policies SP14-SP19.

In terms of other benefits for children, policy NE5 New and improved public open space and biodiversity, makes provision for new and improvements to existing open spaces and play space. New provision is also to be supported by long-term management and maintenance plans to ensure that open spaces can continue to be enjoyed by the community in years to come.

Disability	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

Policy D1 Sustainable design will be beneficial to those with a disability as the policy seeks to maximise accessibility, legibility and connectivity within development proposals.

The Local Plan will particularly benefit those with a disability in relation to the housing provision. Policy HS5 Accessible and adaptable housing establishes the requirements for Part M4(2) (accessible and adaptable dwellings) and Part M4(3) standards. The inclusion of these standards within planning policy will make a positive contribution to future needs as the North Hertfordshire population ages, and would apply across both market and affordable homes.

Policy HS4 Supported, sheltered and older person's housing makes provision for specialised forms of housing, including for those with a physical or learning disability that have specific support needs.

For people whose disability is of a respiratory nature, policy D4 Air Quality will be beneficial. This policy addresses the protection of the health of the residents of proposed developments, as well as the protection of the residents of existing properties.

Gender	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

Figures for the East of England (Annual Population Survey) show that women are less likely to be in employment. Policy SP3 Employment encourages sustainable economic growth, as well as supporting new and existing businesses, which in turn will support job opportunities for women.

In terms of promoting a safe and attractive environment for all members of society, Policy D1 Sustainable Design, will benefit women by incorporating physical and management measures to help to minimise the risk of crime.

As women tend to live longer than men, the age related benefits of the plan (see above) will also apply.

Gender reassignment	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

Policy SP10 Healthy communities sets out that the plan will provide and maintain healthy, inclusive communities for our residents, which will benefit those who have, or will undergo, gender reassignment.

In terms of promoting a safe and attractive environment for all members of society, Policy D1 Sustainable Design, will benefit these residents by incorporating physical and management measures to help to minimise the risk of crime.

Marriage or civil partnership	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

For those wishing to enter into a marriage or civil partnership, Policy SP10 a. and Policy HC1 Community Facilities will be beneficial. These policies support the retention of existing community, cultural, leisure or recreation facilities, and establish the guidelines for new community facilities, which could include locations where marriage and civil partnerships can take place.

Pregnancy and maternity	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

The plan will be beneficial in terms of pregnancy and maternity as policy SP10 Healthy communities supports national policy in recognising that the planning system plays a role in facilitating social interaction and creating healthy, inclusive communities.

The plan makes provision for community facilities, such as doctors and dental surgeries and schools, and part c. of the policy requires joint working with the NHS Trust, the Clinical Commissioning Groups and other relevant providers to ensure appropriate coverage of healthcare facilities.

Race	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

Policy SP10 Healthy communities sets out that the plan will provide and maintain healthy, inclusive communities for our residents, which is vitally important for cohesion. Part a. of SP10, along with policy HC1 Community Facilities, specifically focuses on the need to retain existing community, cultural, leisure or recreation facilities, which will benefit a range of people from different racial backgrounds.

Policy HS7 Gypsies, Travellers and Travelling showpeople makes specific provision in relation to accommodation. This is in recognition that the gypsy, traveller and travelling showpeople community has very different needs that will be supported through the Local Plan.

Religion or belief	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

In relation to the provision of sites for places of worship, policy SP10 a. supports the retention of existing community, cultural, leisure or recreation facilities, which will benefit those with a religion or belief.

Further to this, policy HC1 Community facilities states that these facilities should be situated within local communities so that they are accessible, help to reduce the need to travel and provide opportunities for people to participate in activities within their own community.

Sexual orientation	
Positive impact	Yes
Negative impact	No
Neutral impact	Yes
Data and information used to support this assessment	See Appendix A (EqIA Screening Matrix) which sets out whether the policies contained in the Local Plan have a positive, neutral or negative impact.
What opportunities are there to promote equality and inclusion?	Implement the policies in the Local Plan once adopted.
What do you still need to find out?	No data gaps identified, although implementation of the Local Plan policies will be monitored through the Annual Monitoring Report (AMR).

Summary

Policy HC1 Community facilities will benefit all sections of the community, regardless of sexual orientation, and may assist people with shared characteristics so that they have space to meet in a safe and suitable environment. Along with policy SP10 part a., this policy seeks to achieve this aim through the retention and provision of cultural, leisure and community facilities.

In terms of promoting a safe and attractive environment for all members of society, Policy D1 Sustainable Design, will benefit these residents by incorporating physical and management measures to help to minimise the risk of crime.

6. Overall conclusion & future activity

What are the findings of any consultation with:	
Staff	Please refer to Local Plan Consultation Statement
Residents	Please refer to Local Plan Consultation Statement
Partners	Please refer to Local Plan Consultation Statement
Voluntary & community sector?	Please refer to Local Plan Consultation Statement
Other stakeholders?	Please refer to Local Plan Consultation Statement

Negative impact, barriers to inclusion or improvement opportunities identified	Adjustments made	None required, no negative impacts identified
	Continue as planned	Yes, no negative impacts identified

Detail the **actions that are needed** as a result of this assessment and how they will help to **remove discrimination & harassment**, **promote equal opportunities** and / or **encourage good relations**:

Action	Will this help to remove, promote and / or encourage?	Responsible officer	Deadline	How will this be embedded as business as usual?
Implement the policies in the Local Plan once adopted.	Yes	Development management officers/ Members following adoption of the Local Plan.	Ongoing until the next review of the Local Plan.	The Plan will be the starting point when determining planning applications.

Appendix A – EQIA Screening Matrix

Policy	Equalities Group								
	Age	Disability	Gender	Gender reassignment	Marriage or civil partnership	Pregnancy and maternity	Race	Religion or belief	Sexual Orientation
Section II - Strategic Policies									
Policy SP1: Sustainable development in North Hertfordshire	+	+	+	+	+	+	+	+	+
Policy SP2: Settlement Hierarchy	0	0	0	0	0	0	0	0	0
Policy SP3: Employment	+	+	+	+	+	+	+	+	+
Policy SP4: Town and Local Centres	0	0	0	0	0	0	0	0	0
Policy SP5: Countryside and Green Belt	0	0	0	0	0	0	0	0	0
Policy SP6: Sustainable transport	+	+	+	+	+	+	+	+	+
Policy SP7: Infrastructure requirements and developer contributions	+	+	+	+	+	+	+	+	+
Policy SP8: Housing	+	+	+	+	+	+	+	+	+
Policy SP9: Design and sustainability	+	+	+	+	+	+	+	+	+
Policy SP10: Healthy communities	+	+	+	+	+	+	+	+	+
Policy SP11: Natural resources and sustainability	+	+	+	+	+	+	+	+	+
Policy SP12: Green infrastructure, biodiversity and landscape	+	+	+	+	+	+	+	+	+
Policy SP13: Historic environment	0	0	0	0	0	0	0	0	0
Strategic Sites: SP14, SP15, SP16, SP17, SP18, SP19	+	+	+	+	+	+	+	+	+
Section III - Detailed Policies									
Policy ETC1: Appropriate uses in Employment Areas	0	0	0	0	0	0	0	0	0
Policy ETC2: Employment development outside Employment Areas	0	0	0	0	0	0	0	0	0
Policy ETC3: New retail, leisure and other main town centre development	0	0	0	0	0	0	0	0	0
Policy ETC4: Primary Shopping Frontages	0	0	0	0	0	0	0	0	0
Policy ETC5: Secondary Shopping Frontages	0	0	0	0	0	0	0	0	0
Policy ETC6: Local Centres	0	0	0	0	0	0	0	0	0
Policy ETC7: Scattered local shops and services in towns and villages	0	0	0	0	0	0	0	0	0
Policy ETC8: Tourism	0	0	0	0	0	0	0	0	0
Policy CGB1: Rural Areas beyond the Green Belt.	0	0	0	0	0	0	0	0	0
Policy CGB2: Exception sites in rural areas	0	0	0	0	0	0	0	0	0
Policy CGB3: Rural workers' dwellings	0	0	0	0	0	0	0	0	0
Policy CGB4: Existing rural buildings	0	0	0	0	0	0	0	0	0
Policy CGB5: Urban Open Land	0	0	0	0	0	0	0	0	0
Policy T1: Assessment of transport matters	+	+	+	+	+	+	+	+	+
Policy T2: Parking	0	+	0	0	0	0	0	0	0
Policy HS1: Local Housing Allocations	+	+	+	+	+	+	+	+	+
Policy HS2: Affordable housing	+	+	+	+	+	+	+	+	+
Policy HS3: Housing mix	+	+	+	+	+	+	+	+	+
Policy HS4: Supported, sheltered and older persons housing	+	+	0	0	0	0	0	0	0
Policy HS5: Accessible and adaptable housing	+	+	0	0	0	+	0	0	0
Policy HS6: Relatives' and dependents' accommodation	+	+	0	0	0	0	0	0	0
Policy HS7: Gypsies, Travellers and Travelling Showpeople	0	0	0	0	0	0	+	0	0
Policy D1: Sustainable design	+	+	+	+	+	+	+	+	+
Policy D2: House extensions, replacement dwellings and outbuildings	0	0	0	0	0	0	0	0	0
Policy D3: Protecting living conditions	+	+	+	+	+	+	+	+	+
Policy D4: Air quality	+	+	+	+	+	+	+	+	+
Policy HC1: Community facilities	+	+	+	+	+	+	+	+	+
Policy NE1: Landscape	+	+	+	+	+	+	+	+	+
Policy NE2: Green infrastructure	+	+	+	+	+	+	+	+	+
Policy NE3: The Chilterns Area of Outstanding Natural Beauty (AONB)	+	+	+	+	+	+	+	+	+
Policy NE4: Protecting publically accessible open space	+	+	+	+	+	+	+	+	+
Policy NE5: New and improved public open space and biodiversity	+	+	+	+	+	+	+	+	+
Policy NE6: Designated biodiversity and geological sites	+	+	+	+	+	+	+	+	+
Policy NE7: Reducing flood risk	+	+	+	+	+	+	+	+	+
Policy NE8: Sustainable drainage systems	+	+	+	+	+	+	+	+	+
Policy NE9: Water quality and environment	0	0	0	0	0	0	0	0	0
Policy NE10 : Water Framework Directive and wastewater infrastructure	0	0	0	0	0	0	0	0	0
Policy NE11: Contaminated land	+	+	+	+	+	+	+	+	+
Policy NE12 : Renewable and low carbon energy development	0	0	0	0	0	0	0	0	0
Policy HE1: Designated heritage assets	0	0	0	0	0	0	0	0	0
Policy HE2: Heritage at risk	0	0	0	0	0	0	0	0	0
Policy HE3: Local heritage	0	0	0	0	0	0	0	0	0
Policy HE4: Archaeology	0	0	0	0	0	0	0	0	0
Section IV - Communities	+	+	+	+	+	+	+	+	+

+ Positive impact

- Negative impact

0 Neutral impact