

Equality Impact Assessment (EIA)

Engagement and our equality duty

Whilst [the Gunning Principles](#) set out the rules for consulting ‘everyone’, additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

The Equality Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

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

Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement. People with protected characteristics are often described as ‘hard to reach’ but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Contacting the [Equality and Diversity mailbox](#) will help you to understand how you can gain insight as to the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of the service, strategy, function or procedure

Proposal Title	Air Quality Strategy
Date of Assessment	19 th March 2024
Assessment Lead Officer Name	Sarah Allwood
Directorate/Service	Regulatory Services and Health – Environmental Protection
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>This assessment relates to the Air Quality Strategy 2024.</p> <p>Following on from the Environment Act 2021 it is now a statutory requirement for all local authorities to have an Air Quality Strategy (AQS). Cheshire East first published an AQS in 2011, which was reviewed and updated in 2018. Due to the changes in legislation and that the current AQS is over 5 years old, now is a good time to undertake this review.</p> <p>The aim of the AQS is to support the achievement of the National air quality objectives and to ensure air quality is considered within a wide range of local government and regional planning frameworks. It aims to drive greater improvements in air quality at the local level and it will be reviewed on a 5-yearly basis.</p> <p>The AQS is important, as whilst working towards achievement of the air quality objectives, it will help reduce the risk of health effects related to exposure to air pollution.</p> <p>A copy of the current Air Quality Strategy is available to read here: https://www.cheshireeast.gov.uk/pdf/environment/air-quality/cheshire-east-aqs-2018-review-final-signed-version-2.1amended.pdf</p>
Who is Affected?	All residents of Cheshire East will be affected by the Air Quality Strategy. It is a borough wide strategy that aims to achieve the air quality objectives throughout the borough and ensure air quality is considered within a wide range of Council services.

	<p>Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer.</p> <p>Additionally, air pollution particularly affects the most vulnerable in society, children and older people and those with heart and lung conditions.</p> <p>Through evidence and analysis, we recognise that there are some members of the population are more at risk of poor air quality, some of whom fall into the protected characteristics criteria, e.g. age.</p> <p>There may be more risks and vulnerability within this cohort that may need to be considered as part of the Air Quality Action Plan.</p>
<p>Links and impact on other services, strategies, functions or procedures.</p>	<p>Delivering improvements to local air quality requires input from a wide range of professions and partnerships. Therefore, this Strategy identifies commitments intended to promote communication and co-operation within Cheshire East Council, between external organisations and the community.</p> <p>These commitments are grouped under several relevant policy sectors including air quality, development control and spatial planning, transport and non-road mobile machinery, climate change and energy management, public health, education and awareness, indoor air quality, industrial, commercial and domestic sources and agriculture.</p> <p>The AQS sets out how the Council intends to address air quality across all services and in all relevant decisions. Therefore, it is important the AQS is aligned with the Council’s plans and strategies, such as the Local Transport Plan, Local Plan Strategy, Electric Vehicle Infrastructure Strategy, Environment Strategy, Carbon Neutral Action Plan, and the Cheshire East Local Plan.</p> <p>This strategy links to the following areas of work in the council:</p> <ul style="list-style-type: none"> • Corporate Plan • Spatial Planning • Development Management • Highways and Strategic Transport

	<ul style="list-style-type: none"> • Active Travel • Economic Development • Housing • ANSA • Public Health • Communities • Communications <p>Link to Corporate plan:</p> <p>Open – reviewing and updating the strategy in transparent way that enables everyone to contribute.</p> <p>Fair – reducing inequalities and protecting our most vulnerable residents.</p> <p>Green – welcoming, safe and clean neighbourhoods through aiming to achieve compliance with the national air quality objectives as a minimum.</p>
<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>The aim of the AQS is to provide a strategic framework to deliver local air quality improvements and contribute to long-term air quality goals within Cheshire East. The AQS supports the achievement of the air quality objectives, including the ambitious new targets for PM_{2.5}, and elevates air quality as an issue for consideration within a wide range of local government and regional frameworks.</p> <p>It is important to reduce, where possible, public exposure to certain pollutants, even where levels are below the air quality objectives, to support a healthier population and reduce premature death. This is particularly important for fine particulate matter, where there are currently no known safe levels of exposure. By establishing a strategy framework which positions air quality considerations at the heart of Council policies, procedures and decisions, this will ensure Cheshire East is well placed to maintain good air quality and secure future improvements across the borough.</p> <p>The AQS identifies the health and environmental impacts of high concentrations of the Air Quality Objective pollutants.</p> <p>The objectives of developing and implementing an AQS are to:</p> <ul style="list-style-type: none"> • Ensure Cheshire East maintains good air quality conditions across the borough.

	<ul style="list-style-type: none"> • Improve air quality within existing AQMAs and prevent further deterioration, even in those areas where air quality is currently below the objective. • Promote greater consistency across a range of policy areas for the achievement of improved local air quality, including Spatial Planning, Development Management, Highways and Strategic Infrastructure, Economic Development, Housing, Environmental Protection and Public Health. This will ensure air quality is addressed in a multi-disciplinary way across the different departments of the Council. • Provide a link to wider initiatives across the Council, which could have an impact on air quality, including supporting our borough-wide target to be net-zero by 2045. • Raise and maintain the profile of air quality and ensure it remains high on the political agenda. • Highlight and educate stakeholders about the link between air quality and the risks to human health, the wider local environment, carbon reduction and biodiversity. • Raise the profile of air quality amongst the local communities across Cheshire East. • Encourage greater co-operation and collaboration with neighbouring local authorities, local business, industry and residents. • Provide the first point of contact and source of information relating to local air quality. <p>By achieving the aim and objectives, the AQS will also contribute to:</p> <ul style="list-style-type: none"> • Minimising disadvantages suffered by people due to their protected characteristics. • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
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Section 2- Information – What do you know?

What do you know?	What information (qualitative and quantitative) and/or research have you used to commission/change/decommission the service, strategy, function, or procedure?
Information you used	We are governed by legislation and the Local Air Quality Management regime as this is a statutory function. The key pieces of legislation and documents are listed below: Environment Act 1995 Environment Act 1995 (legislation.gov.uk)

	<p>Environment Act 2021 Environment Act 2021 (legislation.gov.uk)</p> <p>Clean Air Strategy 2019 assets.publishing.service.gov.uk/media/5c3b9debe5274a70c19d905c/clean-air-strategy-2019.pdf</p> <p>25 Year Environment Plan assets.publishing.service.gov.uk/media/5ab3a67840f0b65bb584297e/25-year-environment-plan.pdf</p> <p>Local Air Quality Management Technical Guidance (TG22) LAQM Technical Guidance LAQM.TG22</p> <p>Local Air Quality Management Policy Guidance (PG22) England (not London) LAQM.PG22</p> <p>Cheshire East Air Quality Action Plan 2020-2025</p> <p>As part of the process of updating the Cheshire East Air Quality Action Plan (AQAP) we consulted with a number of different stakeholders such as: local authorities, external agencies, Cheshire East Highways, Cheshire East Public Health, Parish Councils, businesses and the local community.</p> <p>Engaging with the local community and residents was extremely helpful. Their local knowledge is fundamental to the development of local measures as they helped to identify air quality related problems within their towns. The result of the AQAP consultation (found in Appendix A of the AQAP) has been considered when revising the AQS.</p> <p>Cheshire East Air Quality Strategy 2018</p> <p>The Public Health Outcomes Framework (PHOF) has been set up by Government to help create a better understanding of public health indicator trends with the aim of improving the nation’s health and to improve the health of the poorest fastest. Air pollution and specifically fine particulate matter is one of the health indicators listed in the public health profile. The Public Health Outcomes Framework¹ estimates the fraction of mortality attributable to particulate air pollution as a result of long-term exposure to anthropogenic (manmade emissions/sources) particulate air pollution in different regions and cities within the United Kingdom.</p>
Gaps in your Information	There are no gaps in the information gathered to date, the consultation will provide stakeholders with an opportunity to feedback on the proposed strategy.

¹ [Public Health Outcomes Framework - Data - OHID \(phe.org.uk\)](https://www.phe.org.uk)

3. What did people tell you?

What did people tell you	What consultation and engagement activities have you already undertaken and what did people tell you? Is there any feedback from other local and/or external regional/national consultations that could be included in your assessment?
<p>Details and dates of the consultation/s and/or engagement activities</p>	<p>The public consultation will take place to help inform the final strategy that is presented for approval. We have engaged with colleagues within the Environmental Protection team, as well as delivered an informal briefing to members of the Environment and Communities Committee, which provided useful feedback and highlighted several clarifications needed in the document.</p> <p>As part of the process of updating the Cheshire East Air Quality Action Plan (AQAP) we consulted with a number of different stakeholders such as: local authorities, external agencies, Cheshire East Highways, Cheshire East Public Health, Parish Councils, businesses and the local community.</p> <p>Engaging with the local community and residents was extremely helpful. Their local knowledge is fundamental to the development of local measures as they helped to identify air quality related problems within their towns. The result of the AQAP consultation (found in Appendix A of the AQAP) has been considered when revising the AQS.</p>
<p>Gaps in consultation and engagement feedback</p>	<p>The strategy is in a draft format, and it is envisaged that through a consultation that any gaps will be highlighted. This will allow the modification of parts of the strategy, specifically around the strategy commitments in section 4, should this be needed and appropriate mitigation to be considered for any specific impacts upon those residents and stakeholders who share one or more protected characteristics.</p> <p>The aim of the AQS is to support the achievement of the air quality objectives and to ensure air quality is considered within a wide range of local government and regional planning frameworks, it is an overarching strategy. As such it is most likely the Air Quality Action Plan that people will be particularly interested in, as this details how we propose to achieve the objectives at a local level. This is where impacts on protected characteristics may arise.</p>

4. Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of information used to inform the proposal	What did people tell you? Summary of customer and/or staff feedback	What does this mean? Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.
Age	On the Cheshire East Open Data Source, we know that 22.5% of the population are over 65 and 17.8% are under 16 Borough Profile (2019/20) Insight Cheshire East (arcgis.com)	No specific feedback identified as yet, although there has been extensive national research into this area.	Poor air quality affects the most vulnerable people in Cheshire East therefore implementing the AQS is likely to have a positive health impact on children and the elderly. The mortality burden of air pollution within the UK is equivalent to 29,000 to 343,000 deaths at typical ages ² , with a total estimated healthcare cost to the NHS and social care of £157 million in 2017 ³ .
Disability	No impact of disability – not a determinant for the consultation	N/A	N/A
Gender reassignment	No impact of gender reassignment – not a determinant for the consultation	N/A	N/A
Pregnancy and maternity	From ONS 2021 data, just under one in five households (19.4%) included a couple with dependent children How life has changed in Cheshire East: Census 2021 (ons.gov.uk) . In the UK, research has identified links between prenatal, early-life and	No specific feedback identified as yet, but we have considered current research.	Committing to improve air quality through the AQS will positively impact all groups positively overall and in particular the ones that may traditionally suffer from inequalities such as pregnant women.

² Defra. Air quality appraisal: damage cost guidance, January 2023

³ Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018

	childhood exposure to road traffic particulate matter and later “small but significant” reductions in lung function during childhood ⁴ . Evidence also suggests that the risk of term low birth weight increases as maternal exposure to particulate matter increases ⁵ .		
Race/ethnicity	From ONS 2021 data, we know that the % of people in the borough who self-report as White is 94.4% How life has changed in Cheshire East: Census 2021 (ons.gov.uk) . In England, people of colour are three times more likely to live in areas with high air pollution , putting them at disproportionate risk of heart attacks cancer and strokes, according to research by Friends of the Earth. These areas have pollution levels that are double World Health Organization (WHO) standards for at least one of the two most deadly air pollutants.	No specific feedback identified as yet, but we have considered current research.	Improving air quality is likely to improve the health of the general population but mostly those from Black, Asian and Minority ethnic groups.
Religion or belief	No impact of religion or belief – not a determinant for the consultation	N/A	N/A
Sex	No impact of sex – not a determinant for the consultation	N/A	N/A

⁴ Hansell, A. et al., [Prenatal, early-life and childhood exposure to air pollution and lung function in the UK Avon Longitudinal Study of Parents and Children \(ALSPAC\) cohort](#) European Respiratory Journal (2019)

⁵ Chen, Y et al., [Trimester effects of source-specific PM10 on birth weight outcomes in the Avon Longitudinal Study of Parents and Children \(ALSPAC\)](#) Environ Health (2021)

Sexual orientation	No impact of sexual orientation – not a determinant for the consultation	N/A	N/A
Marriage and civil partnership	No impact of marriage and civil partnership – not a determinant for the consultation	N/A	N/A

5. Justification, Mitigation and Actions

Mitigation	What can you do?
<p>Please provide justification for the proposal if negative impacts have been identified? Are there any actions that could be undertaken to mitigate, reduce or remove negative impacts?</p> <p>Have all available options been explored? Please include details of alternative options and why they couldn't be considered?</p> <p>Please include details of how positive impacts could be further enhanced, if possible?</p>	<p>Actions to mitigate any negative impacts or further enhance positive impacts</p> <p>Actions to mitigate negative responses from the variety of stakeholders will be considered and reviewed, and suitably practicable actions adopted, as necessary.</p> <p>Although air pollution can be harmful to everyone, some people are more affected than others because they are exposed to higher levels of air pollution in their day to day lives, live in a polluted area, or are more susceptible to health problems caused by air pollution. The most vulnerable people face all of these disadvantages. There is also often a strong correlation with equality issues because areas with poor air quality are also often less affluent areas⁶⁷.</p> <p>Our monitoring data is evidence that by continuing to undertake the strategy commitments in section 4 of the AQS, air quality continues to improve and is below the national air quality objectives. Having an AQS aims to improve air quality through a strategic framework and will have positive health benefits for all and in particular for those people in the following protected characteristic groups:</p> <ul style="list-style-type: none"> • Age – children and the elderly • Pregnancy and Maternity – pregnant women

⁶ Public Health England. Air Quality: A Briefing for Directors of Public Health, 2017

⁷ Defra. Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

	<ul style="list-style-type: none"> • Race/ethnicity
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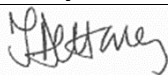
6. Monitoring and Review -

Monitoring and review	How will the impact of the service, service change, decommissioning of the service, strategy, function or procedure be monitored? How will actions to mitigate negative impacts be monitored? Date for review of the EIA
Details of monitoring activities	As required under the Local Air Quality Regime, the Annual Status Report (ASR) is submitted annually to Defra, which contains the results of all the monitoring undertaken. It also provides updates on the actions detailed within the Air Quality Action Plan to improve air quality, and any progress made over the reporting year. The indicators in the AQS are reported to the Air Quality Steering Group on an annual basis. Progress is discussed at the quarterly meetings and any issues are flagged, should they arise.
Date and responsible officer for the review of the EIA	Sarah Allwood The date will be the next time the AQS is reviewed

7. Sign Off

When you have completed your EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review. If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Once the EIA has been signed off, please forward a copy to the Equality, Diversity and Inclusion Officer to be published on the website. For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Name	Tracey Bettaney
Signature	
Date	8 April 2024

8. Help and Support

For support and advice please contact EqualityandInclusion@cheshireeast.gov.uk