

EQUALITY IMPACT ASSESSMENT

TITLE: Draft Biodiversity Net Gain Supplementary Planning Document (“SPD”)

VERSION CONTROL

Date	Version	Author	Description of Changes
03.03.2021	1	Allan Clarke / Tom Evans	Initial Draft
-	-	Sarah Walker	EDI sign off

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CHESHIRE EAST COUNCIL - EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service /

Department	Strategic Planning		Lead officer responsible for assessment		Tom Evans, Neighbourhood Plan Manager	
Service	Environmental and Neighbourhood Services		Other members of team undertaking assessment		Tom Evans, Neighbourhood Plan Manager	
Date	23/03/2021		Version 1			
Type of document (mark as appropriate)	Strategy YES	Plan	Function	Policy	Procedure	Service
Is this a new/ existing/ revision of an existing document (please mark as appropriate)	New YES		Existing		Revision	
Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation) Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service	<p>Draft Biodiversity Net Gain Supplementary Planning Document (“SPD”)</p> <p><u>Background</u></p> <p>Supplementary Planning Documents (“SPDs”) provide further detail to the policies contained in the development plan. They can be used to provide guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. They must be consistent with national planning policy, must undergo consultation and must be in conformity with policies contained within the Local Plan.</p> <p>The council has prepared a draft Biodiversity Net Gain SPD for consultation. The draft SPD provides additional guidance on the implementation of polices SE3 (“biodiversity and geodiversity”), SE5 (“Trees, Hedgerows and Woodland”) and SE6 (“Green Infrastructure”) in the council’s Local Plan Strategy, adopted in July 2017. The SPD, once adopted, should assist applicants when making planning applications, and the council in determining them. The SPD provides further guidance on existing policies, rather than setting a new policy approach in relation to biodiversity and habitats.</p>					

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	<p>The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the National Planning Policy Framework and National Planning Practice Guidance.</p> <p>The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended by the Local Planning, Development Management Procedure, Listed Buildings etc (England) (Coronavirus) (Amendment) Regulations 2020), the National Planning Policy Framework and National Planning Practice Guidance.</p> <p>An Equalities Impact Assessment was prepared alongside the integrated Sustainability Appraisal work which supported the Local Plan Strategy. An Equalities Impact Assessment has also been prepared to support the emerging Site Allocations and Development Policies Document. The assessment found that the LPS policies (including policies particularly relevant to the SPD) and emerging SADPD are unlikely to have negative effects on protected characteristics or persons identified under the Equality Act 2010.</p>
<p>Who are the main stakeholders and have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents)</p>	<p>Public consultation will take place on the draft SPD for four weeks in accordance with the Town and Country Planning ((Local Planning) (England) Regulations 2012) and the council's adopted Statement of Community Involvement. This will include the general public, town and parish councils, statutory consultees, elected members, consultees who have registered on the strategic planning database.</p>
<p>What consultation method(s) did you use?</p>	<p>The council prepares a Statement of Community Involvement which provides detail on how it will consult on Local Plan documents and SPDs. This includes the availability of documents, how residents and stakeholders will be notified etc. The council's Local Plan consultation database, which will be notified of the consultation, also includes a number of organisations who work alongside groups with protected characteristics in the borough.</p> <p>Once consultation has taken place on the draft SPD, all comments received will be reviewed before consideration is given to any amendments required. A report of consultation will be prepared alongside the final version of the SPD and this will also be subject to further consultation. This EIA will be kept updated as the draft SPD progresses.</p>

Stage 2 Initial Screening

<p>Who is affected and what evidence have you considered to arrive at this analysis?</p>	<p>Ward councillors. Those living and working in the borough, property owners, landowners and developers, clinical commissioning group, special interest groups.</p>
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(This may or may not include the stakeholders listed above)									
Who is intended to benefit and how?		Local communities including landowners and developers. The SPD will provide additional guidance on the implementation of existing planning policies related to the assessment of planning applications on matters relating to ecology and biodiversity providing guidance on how a gain in volume and quality of such assets should be achieved. Achieving biodiversity net gain is beneficial to all communities through natural environmental services our ecosystem relies on. The means through which a net gain is achieved may improve access to green space and recreation opportunities in new and existing development.							
Could there be a different impact or outcome for some groups?		No, the SPD builds upon existing planning policy guidance and provides further information about how the council will consider planning applications. The provision of biodiversity net gain will assist in supporting communities to access green space for recreation, improve local amenity, and mitigate some impacts of climate change, such as flooding. Further guidance on factors that inform an appropriate approach to delivering more habitats and improve ecology will support ecosystems across Cheshire East. The SPD, in applying additional guidance to assist in the interpretation of planning policies should be beneficial to groups.							
Does it include making decisions based on individual characteristics, needs or circumstances?		No, the introduction of the SPD is not based on individual characteristics, needs or circumstances. The SPD includes information on the natural environment and characteristics of land and habitats in Cheshire East. The content of the SPD does not relate directly to the characteristics of human populations.							
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)		No, the SPD is not intended to affect different groups or communities in this way.							
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?		No, the SPD is not intended to target any group and will be consulted upon in line with the council's Statement of Community Involvement.							
Is there an actual or potential negative impact on these specific characteristics? (Please tick)									
Age	Y	N	Marriage & civil partnership	Y	N	Religion & belief	Y	N	
Disability	Y	N	Pregnancy & maternity	Y	N	Sex	Y	N	
Gender reassignment	Y	N	Race	Y	N	Sexual orientation	Y	N	

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What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts		Consultation/ involvement carried out	
		Yes	No
Age	The SPD may have an impact those living and working in the borough.		X (to be carried out)
Disability	The draft Biodiversity Net Gain SPD provides further guidance on the implementation of LPS policy SE3 'Biodiversity and Geodiversity' to support the preservation and enhancement of ecological assets. The SPD also provides guidance on policy requirements and methods that applicants can use to retain and enhance environmental assets on and related to their sites.		
Gender reassignment			
Marriage & civil partnership			
Pregnancy & maternity	In some instances enhancing biodiversity may involve improvements to land that is accessible to the public, either within a development site itself or at another location (accessible via a public right of way for example).		
Race			
Religion & belief	The guidance in the SPD may be beneficial as it will assist in supporting the provision of natural habitats and green space that support the ecosystems of the borough and can support recreation and leisure opportunities for human populations.		
Sex			
Sexual orientation	<p>The SPD provides further guidance on the policy approach set out in the Local Plan Strategy.</p> <p>No negative impacts are identified at this stage in relation to any of the specific characteristics however public consultation will be undertaken and this may raise issues officers are not currently aware of.</p> <p>The EIA will be reviewed (and updated) once the initial consultation has taken place.</p>		
Proceed to full impact assessment? (Please tick)	Yes	No	Date: 03/03/2021

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Lead officer sign off		Date	
Head of service sign off		Date	

If yes, please proceed to Stage 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

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Stage 3 Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	<p>Is the policy (function etc....) likely to have an adverse impact on any of the groups?</p> <p>Please include evidence (qualitative & quantitative) and consultations</p> <p><i>List what negative impacts were recorded in Stage 1 (Initial Assessment).</i></p>	<p>Are there any positive impacts of the policy (function etc....) on any of the groups?</p> <p>Please include evidence (qualitative & quantitative) and consultations</p> <p><i>List what positive impacts were recorded in Stage 1 (Initial Assessment).</i></p>	<p>Please rate the impact taking into account any measures already in place to reduce the impacts identified</p> <p>High: Significant potential impact; history of complaints; no mitigating measures in place; need for consultation</p> <p>Medium: Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures</p> <p>Low: Little/no identified impacts; heavily legislation-led; limited public facing aspect</p>	<p>Further action (only an outline needs to be included here. A full action plan can be included at Section 4)</p> <p><i>Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.</i></p>
Age				
Disability				
Gender reassignment				
Marriage & civil partnership				

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Pregnancy and maternity				
Race				
Religion & belief				
Sex				
Sexual orientation				
<p>Is this change due to be carried out wholly or partly by other providers? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)</p>				

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Stage 4 Review and Conclusion

ASSESSMENT

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed			
Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?			
Are there any additional assessments that need to be undertaken in relation to this assessment?			
Lead officer sign off	 Tom Evans	Date: 23/03/21	
Head of service sign off		Date:	

Please publish this completed EIA form on the relevant section of the Cheshire East website