

Equality Impact Assessment (EIA) and our equality duty

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.

Whilst [the Gunning Principles](#) set out the rules for consulting with '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 Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

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

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.

Please feel free to contact the [Equality and Diversity mailbox](#) who will try to help you to assess 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 a service, strategy, function or procedure

Proposal Title	Heritage and Local List SPD
Date of Assessment	06/03/2025
Assessment Lead Officer Name and other officers involved	Tom Evans
Directorate/ Service	Place/Planning/Environmental Planning
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>The Heritage and Conservation Team provides heritage advice in regard to planning applications, revises and updates conservation areas, manages the councils ‘local list’ of heritage assets and has a responsibility around heritage buildings at risk. The team also provides heritage advice to the council on it’s own corporate projects and policy development related to the historic environment.</p> <p>This project is to prepare a Supplementary Planning Document to provide planning advice on heritage matters and update the council’s ‘local list’. The ‘local list’ is a designation the identifies ‘non-designated heritage assets’ which are buildings and structures with heritage significance but which do not reach the threshold for national designation as listed buildings.</p> <p>The strategy is being updated as the current Local List was last updated in 2010 and it is necessary to review the buildings on the list and consider whether to remove any, and to consider other candidates for local listing. Candidate buildings are compiled through a ‘call for sites’ exercise that</p>

	has no closing date and is publicised across the borough for individuals (whether they have a financial interest in the asset or not) to put forward buildings to be considered for local listing. Buildings submitted for consideration will be assessed against the methodology set out in the SPD.
Who is impacted?	<p>The SPD will affect those who manage/own buildings with heritage local heritage value / potential heritage value. Therefore, it is unknown whether this will affect any protected group more than another.</p> <p>It is not expected that adding or removing a building from the local list would directly impact residents who shared one or more protected characteristic.</p>
Links and impact on other services, strategies, functions or procedures.	<p>The work links to the council's local plan heritage and conservation policies.</p> <p>The work also potentially links to work undertaken by the council's estates team on buildings that have heritage value and may eventually be included in the Local List (subject to assessment).</p> <p>The proposal links to the Council's new Corporate Plan, the Cheshire East Plan, and support the Council's commitment to 'unlocking prosperity for all' by supporting the protection and enhancement of local heritage that is highly valued by residents and creates an attractive environment that supports business.</p>
How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?	<p>The proposal will not directly address unlawful discrimination, harassment and victimisation. However, it will set out a transparent methodology against which candidate heritage buildings will be assessed ensuring that no implicit bias is exerted in the designation of such assets.</p> <p>In relation to advancing equality of opportunity between people who share a protected characteristic and those that do not, the project will not address this issue directly but will establish a transparent and clear framework within which to assess heritage buildings and therefore will focus assessment on the buildings rather than the characteristics of those with and interest in them.</p> <p>The project will not directly foster good relations between people with a protected characteristic and those without. However, as above, establishing a transparent methodology to assess heritage assets ensures that all stakeholders will be</p>

	treated equally in this context.
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Section 2 - Information – What do you know?

What do you know?	<p>The project is required as the current policy was adopted in 2010 and the area of work has been subject to multiple national policy changes since, therefore the adopted position is out of date and to be effective, needs to be refreshed.</p> <p>The project will be subject to public consultation.</p>
Information you used to arrive at the decision	<p>As set out, this project is focused on heritage buildings and therefore the characteristics of those with an interest in such buildings (financial or otherwise) are secondary to the purpose of identifying and protecting locally important heritage assets.</p> <p>In arriving at a decision to update the Local List, the relevant factors are focused on heritage policy rather than individuals.</p>
Gaps in your Information	At this stage it is not believed that there are any gaps.

Section 3 - Information - What did people tell you?

What did people tell you about your proposals?	No consultation and engagement has been carried out to date, this is the first stage of engagement.
Details and dates of the consultation/s and/or engagement activities	<p>Consultation will take place in accordance with the Council's adopted 'Statement of Community Involvement' 2022, itself subject to EQiA prior to adoption. This means the document will be promoted digitally via the Councils' website, using contact details from the Local Plan Stakeholders Database which includes representatives of groups with protected characteristics. Press releases and social media will be used to promote the consultation. Consultation will be carried out on line and over a minimum 4 week period.</p>
Are there any gaps in consultation and engagement feedback?	There are no current gaps in knowledge however this may change once consultation has been carried out and feedback received.

Section 4 - Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? <i>Summary of information used to inform the proposal</i> <u>Refer to Section 2</u>	What did people tell you? <i>Summary of customer and/or staff feedback</i> <u>Refer to section 3</u>	What does this mean? <i>Impacts identified from the information and feedback (actual and potential).</i> <i>These can be either positive, negative or have no impact.</i>
Age	The adopted policies to which this guidance relates, have previously been subject to EIA and found that no significant impact on protected characteristics was likely to arise from their implementation.	Consultation has yet to be undertaken, if any new information is captured during this stage, a review of the feedback will be undertaken, and any needed amendments will be made.	It is anticipated that there will be no impact.
Disability	As above	As above	It is anticipated that there will be no impact.
Gender reassignment	As above	As above	It is anticipated that there will be no impact.
Pregnancy and maternity	As above	As above	It is anticipated that there will be no impact.
Race/ethnicity	As above	As above	It is anticipated that there will be no impact.
Religion or belief	As above	As above	It is anticipated that there will be no impact.

Sex	As above	As above	It is anticipated that there will be no impact.
Sexual orientation	As above	As above	It is anticipated that there will be no impact.
Marriage and civil partnership	As above	As above	It is anticipated that there will be no impact.

Section 5 - Review of information, consultation feedback and equality analysis

Mitigation	What can you do to mitigate any negative impacts or further enhance positive impacts?
<i>Please summarise the impacts listed in section 4 and what will be done to mitigate these impacts</i>	No impacts have been identified at this stage.


Section 6 – Monitoring and review

Details of monitoring activities	Monitoring of this type of document is usually focused on its performance against policy requirements. However, monitoring of complaints against the document/process will be undertaken.
Date and responsible officer for the review of the EIA	EIA to be review six months after adoption of SPD, anticipated to be in early 2025. Review to be undertaken by T. Evans and signed off by David Malcom (head of service).

Section 7 – Sign off

When you have completed your draft 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).

Name	David Malcolm
Date	18/03/25
Signature	

Once the EIA has been signed off, please forward a copy to the [Equality, Diversity and Inclusion mailbox](#) for it to be published on the website.

For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Help and support - For support and advice please contact the [Equality, Diversity and Inclusion mailbox](#)