COMMUNITY IMPACT ASSESSMENT

(incorporating equality analysis and health considerations)

V1.0

Name of Matter Assessed	The Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document
Who will make decision: **(eg Cabinet / Board / Delegated etc)**	The constitution of each of the respective Local Planning Authorities adopting the SPD sets out who has the Executive authority to adopt the SPD.
Who has been involved in developing this matter	A steering group led by Natural England and including the Local Planning Authorities to which this work applies has prepared an "Upper Nene Valley Gravel Pits Special Protection Area draft Supplementary Planning Document" (SPD).
Date	23rd January 2015

What is it:

A Community Impact Assessment (CIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making. This document can also be used to consider health and narrowing heath inequalities (Health and Care Act 2012)

When to assess:

A CIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

Due Regard:

To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

In relation to health, we need to consider the potential short term and long term implication of for decisions that we take to support the Health and Wellbeing agendas.

How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. We need to make sure that we understand the potential impact of decisions on people with different protected characteristics and also need to consider this information before and as decisions are being made. This will help us to reduce or remove unhelpful impacts and inequalities.

PROPOSAL NAME:

The Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document

1. AIMS / OBJECTIVES AND PURPOSE OF THE POLICY / SERVICE / FUNCTION

Aims and Objectives:

Provides planning applicants and others with information and guidance to ensure that development has no significant effect on the Special Protection Area, in accordance with the legal requirements of the Habitats Regulations.

Specifies which types of plans and development applications require consultation with Natural England and outlines consultation zones for different types of development. It provides a consistent approach to identifying potential significant effects on the SPA's qualifying features, and includes details on survey methodologies to be used in order that data are complete and comparable across applications.

Key Actions:

Setting up an Officer Working Group to aid the progression of the consultation draft

Public wide consultation will be undertaken for 6 weeks, in line with the requirements of the Planning Act and associated regulations.

Expected Outcomes:

Consultation responses will inform the outcome of the final document, which will be considered by the respective local planning authorities for adoption.

Who will be affected and how:

Those seeking to undertake development will be more aware about what they need to do when applying for planning permission. The Supplementary Planning Document (SPD) should save the developer time and money by ensuring that the proposed development does not conflict with the Habitats Regulations. The Special Protection Area (SPA) is the highest environmental protection designation within the European Union, therefore it is unlikely that development that will cause harm to it will be permitted in all but the most exceptional circumstances. On this basis the SPD seeks to ensure that the developer does not undertake abortive work by seeking to take forward a development that is unlikely to get planning permission.

The SPD seeks to ensure the long term health of the SPA as a high order environmental designation with its associated environmental benefits, but also the less easily identifiable social and economic benefits that the presence that the designation brings.

Adverse impacts related to the SPA through development proposals are likely to fall into a number of categories – destruction/degradation of habitat, either within or adjacent to the SPA which will impact on bird populations, e.g. loss of breeding areas, foraging areas or changes to eco-systems, e.g. water pollution; disturbance/death/injury through domestic animals such as cats/dogs or habitat disturbance e.g through human disturbance, or disruption to bird sight lines impacting on bird's ability to see predators.

Approximately how many people will be affected:

This is difficult to quantify. In all likelihood the number of proposed developments that will be materially affected by the environmental designation and the guidance in the SPD will be limited. As an environmental resource the SPA to be protected, as long as it does not impact on the conservation aims/habitats of the protected species, the SPA will provide an opportunity for many for recreational use and enhanced understanding of particular bird species and other environmental assets.

2. EXPECTED DATE OF DECISION

Adoption is anticipated mid to late 2015.

3. SCOPE / FOCUS OF THE ASSESSMENT

Please outline the scope and focus of the assessment

The scope and focus relates to the likely impacts on development and in particular those proposing development which ordinarily might be inconsistent with the additional restrictions/requirements associated with adversely affecting the SPA.

4. COMMUNITY SCREENING OUTCOME

Will the proposal:	Yes	No
Eliminate discrimination, harassment and victimisation		X
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it		X
Foster good relations between persons who share a relevant protected characteristics and persons who do not share it		X
Contribute to health improvement or inequalities		X

5. RELEVANT DATA AND / OR RESEARCH

Outline the information and research that has informed the decision:

National Planning Policy Framework, West Northamptonshire Joint Core Strategy, North Northamptonshire Joint Core Strategy, Northampton Central Area Action Plan, the SPA designation notice and internal / external consultation exercises.

Sources and key findings:

The areas covered by the consultation zones have no particular concentration of groups with protected characteristics, either being employment areas, or suburban residential areas with a wide mix of population, generally more representative of the demographic of the area as a whole.

How will the decision affect people with different protected characteristics:

The assessors have considered the potential impacts of the SPD and having had extensive experience of considering potential impacts of planning documents on groups with protected characteristics are in this instance unable to determine any adverse or positive impacts on groups with protected characteristics.

6. CURRENT SERVICE PROVISION

What are you doing now:

The Local Planning Authorities consult with Natural England where they believe a development proposal has the potential to impact on the SPA designation. Where appropriate Natural England will engage with the developer and the local planning authority in seeking additional evidence, or changes to a development to ensure that it does not adversely impact on the SPA. However, it is considered that this might be relatively late in the development application process and not sufficiently factored into development proposals when they are submitted for determination. As the designation is new it is likely that applicants and development management practitioners are not well versed in processes and issues associated with development's potential impact on the SPA. The SPD seeks to clarify this reducing the likelihood of abortive work on behalf of the applicant, the local planning authority and Natural England.

7. RATIONALE FOR CHANGE

What will you do if / when changes are agreed / introduced:

See 6. The adoption of the SPD is considered likely to reduce abortive and potentially expensive work undertaken by a range of people and organisations.

8. IDENTIFICATION OF AFFECTED GROUPS / INDIVIDUALS

List the groups / individuals that may be affected by the proposal:

Developers, or those that may occupy new developments where measures have been incorporated to ensure that the SPA is not compromised. This may include residents, employees or those pursuing recreational activities.

9. ACCESS AND / OR UNDERTAKE CONSULTATION

Has there been specific consultation (if not, state why and / or when this may happen):

To be undertaken as part of the wider consultation.

What were the results of the consultation:

Not yet available

Across the protected characteristics, what difference in views did analysis of the consultation reveal:

Not yet available

What conclusions have been drawn from the analysis on how the decision will affect people with different protected characteristics:

Not yet available

10: ASSESSMENT OF IMPACT ON STAFF

Please give details of impact on staff, including staffing profile if / as appropriate:

Planning Departments are generally considered to be representative in their makeup of the wider community of which they serve, with the probable exception of ethnicity, religious groups and disability. The SPD is likely to reduce resource spent in the Planning Division on abortive work seeking to amend schemes which otherwise would adversely impact on the SPA, but otherwise is not considered likely to impact on any particular group within the workforce more than any other.

11. ASSESSMENT OF IMPACT ON WIDER COMMUNITY

Please give details of any impacts to the community as a whole:

- This has the potential to lead to greater restrictions on development than in non-SPA areas. Needing to address this could increase development costs, e.g. lower-rise buildings to protect site lines might reduce development density.
- In extreme cases it might be that recreational opportunities open to development occupiers are lower than would be expected than elsewhere as a result of the SPA e.g. to reduce disturbance
- On the positive side it provides the opportunity for the local community to gain a greater understanding of an internationally important environmental designation.

12. ANALYSIS OF IMPACT BY PROTECTED CHARACTERISTICS

Please summarise the results of the analysis

To be undertaken

13: ASSESS THE RELEVANCE AND IMPACT OF THE DECISION TO PEOPLE WITH DIFFERENT PROTECTED CHARACTERISTICS

Relevance: select high, medium or low
Impact: select positive, negative or neutral

	Relevance	Impact
Age	Low	Neutral
Disability	Low	Neutral
Gender reassignment	Low	Neutral
Marriage and civil partnership	Low	Neutral
Pregnancy and maternity	Low	Neutral
Race	Low	Neutral
Religion or belief	Low	Neutral
Sex	Low	Neutral
Sexual Orientation	Low	Neutral
Other socially excluded groups (including health inequalities)	Low	Neutral

*When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

14. MITIGATION OF ADVERSE IMPACT ON STAFF / SERVICE / PEOPLE

Where any negative impact has been identified, please outline the measures to mitigate against it:

Not applicable

15. PUBLICATION OF RESULTS

The findings of the consultation exercise will be documented in the Consultation Statement, reported to the respective Council's decision makers and subsequently posted on the website.

16. MONITORING AND REVIEW

Monitoring will be done by assessing the outcome of planning appeals based on the requirements of this SPD

17. CONCLUSION

There should be no unlawful discrimination arising from the decision

Please state how due regard has been taken to the equality duty, and public health considerations:

The principles formulated are details which are based on strategic and local policies which have themselves undergone Equality Impact Assessments

Please advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact:

It is not considered that there will be any adverse or beneficial impacts that will be more concentrated in any particular group with protected characteristics.

Signed:



Date: 23rd January 2015