

Equality Impact Assessment

South Downs Local Plan

1. Details

SUBJECT	South Downs Local Plan
Directorate	Planning
Lead Person (Owner)	Lucy Howard
SMT Champion	Tim Slaney
Date of Completion	12/09/2017

2. Is this a:

Strategy Project Policy Service Function

Other, please specify	
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3. Is it:

New Proposed Already exists but is being reviewed

4. Members of Assessment team

Name	Position / Role	Role on assessment team <i>e.g. service user, manager of service, specialist</i>
Daniel Ashe	Planning Policy Officer	Planning specialist

5. What is the aim of the strategy/project/policy/service?

To provide the main basis for the determination of planning applications in the National Park between 2018 and 2033.
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6. Will stakeholders be directly affected?

(E.g. service users, customers, contractors, staff, Board members)

Yes ¹ No ²

7. Think about what evidence you already have that will help you to decide how the strategy/project/policy/service etc. affects different groups.

¹ If you have answered 'Yes' to question 6, you must continue to complete to full EA.

² If you have answered 'No' to question 6 there is no need to carry out the full analysis. However you must get questions 1-6 signed off by the SMT Champion.

State of the Park Report

Partnership Management Plan

The Local Plan is supported by a wide ranging evidence base that is published on the Local Plan website.

Please see Appendix 1 for summaries of the baseline situation in the National Park for each protected characteristic.

8. What are the desired outcomes for the end user?

The end users will include Development Management officers; the desired outcome is that they can take decisions on the basis of the Local Plan, without fear of abandoning their duties under the Equality Act 2010 (as set out in Appendix 2). Other end users are people preparing planning applications, or preparing responses to planning applications, who will need to draw on Local Plan policies in their work. This makes it additionally important that the Local Plan does not include anything which could lead to inadvertent discriminatory acts by any of these parties.

9. Would the service user/member of staff receive a different outcome if they shared any of the following protected characteristics?

A full assessment of the impact of Local Plan policies on the protected characteristics is included in Appendix 3. Please see below the summarised impacts on each of the protected characteristics.

<p>Age: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome according to your age?</i> Many of the policies in the Local Plan will have positive impacts on people sharing this characteristic. There is some room to improve the wording of Policy SD17: Protection of the Water Environment to improve the impacts on people sharing this characteristic; the proposed wording is set out in question 10.</p>	<p>Disability: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome if you had a disability or impairment?</i> Many of the policies in the Local Plan will have positive impacts on people sharing this characteristic. There is some room to improve the wording of Policy SD17: Protection of the Water Environment to improve the impacts on people sharing this characteristic; the proposed wording is set out under question 10 In addition, Policies SD5: Design and SD21: Public Realm, Highway Design and Public Art could usefully be accompanied by additional information to improve their impact on people sharing this characteristic. This additional information could form part of a Design SPD.</p>
<p>Gender Reassignment: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome if you were transgender?</i> Several policies in chapter 7i: Infrastructure have the potential for a positive impact on people sharing this characteristic, since they relate to the provision of venues and spaces where different people can meet and get to know one another, which may lead to the fostering of good relations.</p>	<p>Marriage & Civil Partnership: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome if you were married or in a civil partnership?</i> Neutral impact, except in so far people sharing this characteristic may be proportionately more likely than the average citizen to have another protected characteristic (e.g. pregnancy/maternity); in that case the impact will be dealt with under the relevant characteristic.</p>

<p>Pregnancy & Maternity: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome if you were pregnant or on maternity leave?</i> Policy SD20: Walking, Cycling and Equestrian Routes may have a positive impact on people sharing this characteristic, since it safeguards land for the provision of flat and safe routes for off-road walking, cycling and horse-riding. Several policies in chapter 7i: Infrastructure have the potential for a positive impact, since they relate to the provision of venues and spaces where different people can meet and get to know one another. In particular community halls can have a valuable role in meetings for people sharing this characteristic.</p>	<p>Race: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome according to your race?</i> Policy SD33: Gypsies and Travellers and Travelling Showpeople will have a positive impact on people sharing this characteristic, since it safeguards and allocates sites to house Gypsies and Travellers and provides windfall criteria allowing for new sites for all the groups named in the policy. Several policies in chapter 7i: Infrastructure have the potential for a positive impact on people sharing this characteristic, since they relate to the provision of venues and spaces where different people can meet and get to know one another, which may lead to the fostering of good relations.</p>
<p>Religion or Belief: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome according to your religion or belief?</i> Several policies in chapter 7i: Infrastructure have the potential for a positive impact on people sharing this characteristic, since they relate to the provision of venues and spaces where different people can meet and get to know one another, which may lead to the fostering of good relations. In particular policy SD43: New and Existing Community Infrastructure safeguards existing places of worship and allows for the establishment of new ones.</p>	<p>Sex: Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome according to whether you are male or female?</i> Neutral impact, except in so far as one sex or another may be proportionately more likely to have another protected characteristic (e.g. age, pregnancy/maternity, or socio-economic disadvantage); in that case the impact will be dealt with under the relevant characteristic.</p>
<p>Sexual Orientation Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome according to your sexual orientation, i.e. depending on whether you are gay, lesbian, heterosexual or bisexual?</i> Several policies in chapter 7i: Infrastructure have the potential for a positive impact on people sharing this characteristic, since they relate to the provision of venues and spaces where different people can meet and get to know one another, which may lead to the fostering of good relations.</p>	<p>Socio Economic Positive: <input checked="" type="checkbox"/> Negative: <input type="checkbox"/> <i>For example would you receive a different outcome according to your ability to pay or financial status, e.g. if you were on welfare benefit?</i> Many of the policies in the Local Plan will have positive impacts on people suffering socio-economic disadvantage. It should also be borne in mind that several other protected characteristics are likely to correlate with this characteristic. There is some room to improve the wording of Policy SD17: Protection of the Water Environment to improve the impacts on people suffering socio-economic disadvantage. However, there is the potential for negative discrimination to arise on the basis of this characteristic (and potentially others, impossible to distinguish at this stage) in the allocation process for affordable housing.</p>

If you have marked any of the boxes in question 9 as negative, you now need to consider whether or not you can reasonably justify these outcomes...

10. Complete the action plan below to demonstrate how you intend to overcome or justify any adverse impact.

Protected Group	Issue Identified	Action/Justification	Timescale	Lead person
Age, Disability, Socio-economic	Lack of policy criterion requiring access to waterways for flood management purposes	Amend policy SD17 criterion 1c(iv) to read: Public access to and along the waterway for recreational opportunities <u>and access for flood risk management purposes</u> '.	By September	KS
Disability	Lack of detail on how design of new developments and the public realm will make sure it is adapted to the needs of people with disabilities.	Ensure the drafting of the Design SPD takes full account of all guidance available on accessible design and designing for people with dementia.	By 2018	GH
Socio-economic (and possibly others)	Insufficient focus on local need as the overriding criterion for allocating affordable housing- potentially opening the door to direct or indirect discrimination by bodies involved in the allocation process.	Some discrimination- in favour of locally arising need and to support lower-income groups - is justifiable in the context of the National Park's duty to seek to foster the wellbeing of local communities. However it is important that this is based on a fair assessment of need. Amend supporting text to policy SD28 to put more weight on local need and less on other factors. Amend criterion 2 of SD29 to read: '...will be based on robust and up-to-date evidence of local community aspirations and need ', and amend supporting text accordingly.	By September	MB

11. Governance & Ownership - state here who has approved the action plan

Name	Job Title	Date
Lucy Howard	Planning Policy Manager	12-09-17

12. Publishing

Date signed off by Project Team/SMT:	12-09-17
Date published:	26-09-17

Appendix 1. Baseline Information on Equality Act (2010) Protected Characteristics in the South Downs National Park

1. Against most of the protected characteristics below, the population of the SDNP has similar features to those of other National Parks, except where noted.

Age

2. The National Park's age structure differs from that of the South East region as a whole, in having a lower proportion of people in each age band between ages 18 and 44- in particular, the proportion of residents aged 20-29 is especially low- but a higher proportion of people in each age band over 45. The proportion of the population made up of teenage children is modestly above the South East average, while the proportion of younger children is lower than the regional figure. The age profile of the South Downs is broadly comparable to that of other National Parks.
3. The median age is 46, compared to 40 in the wider South East.

Disability

4. 21.7% of households in the National Park include at least one person with a long-term health problem or disability. This is lower than the figure for South East England of 23.6%.

Marriage and civil partnership

5. 54.9% of SDNP residents are married, and 0.3% in a civil partnership. This is higher than the regional figures of 49.3% married and 0.2% in a civil partnership.

Race

6. The ethnic makeup of the SDNP is relatively homogenous, with 93% of the population being of 'White; English/Welsh/Scottish/Northern Irish/British' ethnicity. This compares to 85% in the South East. The second largest ethnic category is 'White: Other White', with 3% of the population (4% in the South East). 0.2% of the South Downs population are 'White; Gypsy or Irish Traveller'; a group which has particular requirements from the planning system. The largest ethnic category outside the 'White' groups is 'Mixed/multiple ethnic group: White and Asian', with 0.5%.
7. The great majority of SDNP residents are either UK passport holders or have no passport (96.1% altogether). 2.5% have passports of other EU countries, and 3% have passports of non-EU countries. The equivalent figures for South East England are 93.2% UK or no passport; 4% other EU countries, and 4.2% non-EU countries.
8. Only 1.2% of households in the SDNP do not have English as a main language of anyone over the age of 16. A further 1.9% of households have English as a main language of at least one, but not all, people aged 16 or over. The equivalent figures for the South East England region are significantly higher: 3.6% of households with no adults who have English as a main language, and 3.2% of the second type of household.

Religion or belief

9. The SDNP has fewer believers in religions other than Christianity than the surrounding region does. 62.7% of SDNP residents are Christians, 27% have no religion and 1.8% follow religions other than Christianity. For South East England, the equivalent figures are 59.8% Christian, 27.7% no religion and 5.2% other religions.

Sex

10. The SDNP has the most female population of any National Park in England or Wales, with 51.9% female residents. This is also above the South East England figure of 50.7%.

Socio-economic factors

11. The Authority has also chosen to include socio-economic disadvantage to our list of protected characteristics, given the nature of our business, our overarching purposes and duty and the importance which we place on developing employment and social capacity opportunities.
12. In terms of occupation profile, the National Park has the same broad profile as surrounding comparator areas (sub-regional groupings of districts that adjoin the National Park) for skilled professions. However, there are a far higher percentage of residents working in professional jobs than in most of the surrounding areas, and a lower percentage of residents working in unskilled jobs.
13. The high proportion of residents with professional jobs in the SDNP is reflected in qualifications of National Park residents. Figure 32 shows that the SDNP has a higher proportion of residents with Level 4 qualifications and above than seen elsewhere. This includes degree, higher degree and professional qualifications.
14. Self-employment levels in the SDNP is 18% - slightly more than in comparator areas. Conversely, employment levels are lower although so is unemployment. Indeed unemployment in the SDNP is also lower than any of the comparator areas.

Other protected characteristics

15. There is little baseline information available that is directly relevant to other protected characteristics, including sexual orientation, gender reassignment, or pregnancy and maternity.

Appendix 2: Main duties on public authorities under the Equality Act (2010)

- To eliminate discrimination, harassment, victimisation and other conduct that is prohibited under the Act
- To advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it
- To foster good relations between persons who share a relevant characteristic and persons who do not share it.

Appendix 3: Likely effects of the draft South Downs Local Plan on the nine protected characteristics under the Equality Act (2010), and the South Downs Protected Characteristic of socio-economic status

1. The Local Plan has been assessed against the protected characteristics on a chapter-by chapter basis. In the text below there are some policies for which the implications have been drawn out in detail. For others the policies within a chapter are expected to have similar impacts on the protected characteristics; in those cases the implications of the chapter as a whole are written up. Lastly there are some policies where the effect on protected characteristics is expected to be neutral or non-existent; in these cases the policy is not included in the text below.

Chapter 4: Core policies

2. Policy SD2: Ecosystem Services will have a wide range of positive impacts across several different protected characteristics. The relevant criteria in this policy with positive impacts on equalities include, in particular, those on flooding (1d), climate change (1e), pollution (1i), health and wellbeing (1j) and access (1k). More detail on each of these areas is provided in other policies in the Local Plan, and therefore the positive equalities impacts are described under those other policies, below.
3. In general, ecosystem services are free to access and are therefore of particular benefit to people with less disposable income. Income correlates with several of the protected characteristics, including age, sex, race and disability, and in particular socio-economic status. Therefore the continued and enhanced provision of ecosystem services for free will have a positive impact on equality between those who share these characteristics and those who do not.

Chapter 5. A Thriving , Living Landscape.

4. All policies in this chapter will contribute to the continued and enhanced provision of ecosystem services: in particular, cultural services including tranquillity and outdoor enjoyment of the landscape; supporting services including biodiversity; and regulating services including water quality. In general, these ecosystem services are free to access and are therefore of particular benefit to people with less disposable income. Income correlates with several of the protected characteristics, including age, sex, race and disability, and in particular socio-economic disadvantage. Therefore the continued and enhanced provision of ecosystem services for free will have a positive impact on equality between those who share these characteristics and those who do not.

Policy SD5: Design

5. This policy is expected to have several positive impacts on equalities:
6. Criterion 1c on local distinctiveness will help to produce legible environments which will benefit dementia sufferers, allowing them to use the public realm with more confidence. This will have a positive impact on the protected characteristic of disability. Dementia is not

always a disability, but it is when it has a substantial and long-term negative effect on the ability to do normal daily activities.

7. Criterion 1g on accessible storage for transport related equipment will benefit those reliant on mobility aids, and therefore have a positive impact on the protected characteristic of disability.
8. Criterion 1h on adaptable housing to meet the needs of a range of users, will have a positive impact on the protected characteristics of disability and age.
9. It is recommended that the preparation of the proposed Design SPD take full account of all guidance available on accessible design and designing for people with dementia.

Policy SD17: Protection of the Water Environment

10. Criterion 1c(iv) of this policy requires public access to and along waterways for recreational opportunities to be conserved and enhanced. Since flooding has a particular negative impact on certain groups with protected characteristics (in particular age, disability and socio-economic disadvantage) it is recommended that the criterion be amended to: 'Public access to and along the waterway for recreational opportunities and access for flood risk management purposes'. This should help ensure that new development does not make the maintenance of waterways more difficult, and so reduce the risk of flooding.

Chapter 6: People Connected to Places

Policy SD19: Transport and Accessibility

11. The elements of this policy requiring new developments to minimise the need to travel or promote the use of sustainable modes of transport, and supporting improvements to public transport, will be positive for people proportionately less likely to travel by car. This includes people sharing the protected characteristics of age, disability and socio-economic disadvantage.

Policy SD20: Walking, Cycling and Equestrian Routes

12. The safeguarding of former railway lines in this policy will allow for their potential future development as non-motorised travel routes. Such development would benefit utility cyclists, including people less likely to have access to a car: in particular this would apply to young people. The fact that these routes were formerly railway lines means most of them are well placed to provide functional cycle commuting links between settlements. It would also provide health benefits to leisure walkers, cyclists and equestrians seeking a relatively flat and traffic-free route, which would include people sharing the protected characteristics of age, pregnancy/maternity, and potentially disability.
13. The requirement for links between new development and the public rights of way/footway network would benefit the same groups of people.

Policy SD21: Public Realm, Highway Design and Public Art

14. This policy should ensure that moving around new developments is a safe, legible and attractive experience for all users, and that the recreational value of historic rural roads is conserved and enhanced. This will in particular be positive for more vulnerable road users, and those with special requirements for accessible design, including people sharing the protected characteristics of age, disability and pregnancy/maternity.
15. It is recommended that the preparation of the proposed Design SPD take full account of all guidance available on accessible design and designing for people with dementia.

Policy SD22 Parking Provision

16. Criterion 4a requires public car parks to provide charging facilities for electric mobility scooters, where feasible and where there is potential for onward travel by such scooters. This will have a positive impact on the ability of people with disabilities to enjoy the National Park

Policy SD23: Sustainable Tourism

17. Criterion 1b, requiring the design and location of tourism related development to minimise the need for travel by private car, will be positive for people proportionately less likely to travel by car. This includes people sharing the protected characteristics of age, disability and socio-economic disadvantage.

Chapter 7a. Development

Policy SD25: Development Strategy

18. The direction of most development towards settlements with a certain level of services will be relatively positive for people proportionately less likely to travel by car. This includes people sharing the protected characteristics of age, disability and socio-economic disadvantage. The allowance for some development outside these areas risks a negative effect on these groups, but this risk will be mitigated by Policy SD19 Criterion 1 requiring developments to be sustainably located.

Chapter 7b. Homes (Strategic Policies)

Policy SD26: Supply of Homes

19. The location of housing allocations in settlements with a certain level of services will be relatively positive for people proportionately less likely to travel by car. This includes people sharing the protected characteristics of age, disability and socio-economic disadvantage.

Policy SD27: Mix of Homes

20. The inclusion of a dwelling size criterion will be of benefit to people suffering socio-economic disadvantage.
21. Criterion 3, promoting flexible accommodation, will have a positive impact on people sharing the protected characteristics of age and disability.

Policy SD28: Affordable Homes; Policy SD29: Rural Exception Sites:

22. The requirement for a high proportion of affordable housing on market housing led sites, and for 100% affordable provision on rural exception sites, will have a positive impact on people suffering socio-economic disadvantage.
23. However, care needs to be taken with the process for the allocation of housing, to ensure that the people who receive affordable housing are those most in need of it (i.e. those who genuinely meet the protected characteristic).
24. The precedence accorded to local connection criteria in paragraph 7.26 of the supporting text to policy SD28 can in principle be justified with reference to the National Park Authority's duty to seek to foster the well-being of local communities. However, it should be made clear that local need is the overriding determining factor in the allocation of affordable housing.
25. It is recommended that SD29 criterion 2 be amended to read: '...will be based on robust and up-to-date evidence of local community aspirations and need.' The relevant sections of the supporting text are recommended to be amended accordingly, so as to ensure that the Local Plan gives priority to genuine, objectively assessed local need, while recognising the important role of local communities in helping to assess that need.

Chapter 7d. Homes (Development Management policies)

Policy SD30: Replacement Dwellings

26. The size limit on replacement dwellings will have a positive impact on people suffering socio-economic disadvantage.
27. The allowance for the multiplication of dwellings on plots outside settlement boundaries risks a negative effect on people proportionately less likely to travel by car. This includes people sharing the protected characteristics of age, disability and socio-economic disadvantage. However, it is unlikely that people suffering socio-economic disadvantage would be able to afford to buy or rent such dwellings where they are on the open market, and the risk of negative impacts on elderly and disabled people will be mitigated by Policy SD19 Criterion 1 requiring developments to be sustainably located.

Policy SD32: Agricultural and Forestry Dwellings

28. Criterion 3, requiring the remarketing of such dwellings as affordable housing should they no longer be needed for their original purpose, will have a positive impact on people suffering socio-economic disadvantage.

Chapter 7e. Gypsies, Travellers and Travelling Showpeople

Policy SD33: Gypsies and Travellers and Travelling Showpeople

29. The safeguarding and allocation of dedicated sites will have a positive impact on these groups, who are all ethnic minorities sharing the protected characteristic of race.
30. Criterion 3 of the policy will allow for the provision of windfall sites while fostering good relations between Gypsies, Travellers and Travelling Showpeople and the settled community.

Chapter 7f. Employment

31. The general encouragement of new employment provision and protection of existing employment sites will have a positive impact on people suffering socio-economic disadvantage, since employment plays a major role in such disadvantage.
32. The direction of new employment development to, and specific safeguarding of existing sites in, settlements which have a certain level of facilities and public transport connectivity (paragraph 7.128 and policy SD35: Employment Land, criterion 4 respectively) will have a positive effect on people proportionately less likely to travel by car. This includes people sharing the protected characteristics of age, disability and socio-economic disadvantage.

Chapter 7g. Town Centres and Retail

33. The protection and enhancement of town centres and local shops, as encouraged through the policies in this chapter, will be likely to have a positive impact on people suffering socio-economic disadvantage. They will also have a positive effect on people proportionately less likely to travel by car. This includes people sharing the protected characteristics of age, disability and socio-economic disadvantage.

Chapter 7i. Infrastructure

Policy SD43: New and Existing Community Infrastructure

34. This policy protects, and encourages the establishment of, venues where social groups can hold meetings and/or where people with different characteristics can meet and get to know each other. It is therefore positive for people sharing all the protected characteristics, but in particular pregnancy and maternity, age, disability and religion. The same is true, to a lesser extent, of Policies SD45-47 on green infrastructure and open spaces.

Policy SD44: Telecommunications and Utilities Infrastructure

35. Criterion 2, requiring the provision of superfast broadband (or equivalent) to all new residential dwellings, is positive for people sharing the protected characteristics of age and disability, since it will facilitate remote access to services, education, shopping and work.

Chapter 7k. Climate Change

Policy SD48: Climate Change and Sustainable Use of Resources

36. The requirement for buildings to be designed with a lower energy use level than under Building Regulations will be likely to have a positive impact on people suffering socio-economic disadvantage.

Policy SD49: Flood Risk Management

37. This policy is likely to have a positive impact on those groups who suffer from flooding more than the average member of the population. This includes people with the protected characteristics of age, disability and socio-economic disadvantage.

Chapter 7m. Pollution and Contamination

Policy SD54: Pollution and Air Quality

38. This policy is likely to have a positive impact on the protected characteristic of age, since both younger and older people are more likely than the general population to suffer ill effects from air pollution.