

EQUALITY IMPACT ASSESSMENT

Scoping Assessment Form

Policy, practice, function or project assessed	Joint Wealden Heaths Phase II Special Protection Area Supplementary Planning Document (SPA SPD)
Lead Officer	Ian Mawer
Team	Planning Policy Team
Date of assessment	October 2017

A. POLICY, PRACTICE, FUNCTION OR PROJECT TO BE ASSESSED

A1. Please describe what are the main aims, objectives, purpose and intended outcomes of the policy or function?

The Joint Wealden Heaths Phase II Special Protection Area Supplementary Planning Document (SPA SPD) is to provide guidance to applicants where development proposals will result in a net increase in residential development within 400 metres of the Wealden Heaths Phase II Special Protection Area.

It sets out the approach that the Council and the South Downs National Park Authority will take to help meet the needs for residential uses where the need cannot be met solely outside of the 400 metre buffer zone (specifically Gypsy, Traveller and Travelling Showpeople accommodation and rural affordable housing exception sites).

This stage of the process seeks views on the draft SPA SPD, which will help inform the final document adopted by both authorities.

A2. Is this policy or function associated with any other Council policy or priority?

The SPD expands on Joint Core Strategy Policies (Local Plan Part 1), specifically Policies CP14: Affordable Housing in Rural Communities, CP15: Gypsies, Travellers and Travelling Showpeople and Policy 22: Internationally Designated Sites.

As set out in the Housing and Planning Act (2016), the Council has a duty to assess the accommodation needs of those residing in caravans (including Travellers); and under the Equality Act (2010) the Council must have due regard to eliminate unlawful discrimination and advance equality opportunity between people who share a protected characteristic and those who do not.

A3. Who are the intended beneficiaries/stakeholders of the policy or function? How many people are affected and from what sections of the community?

The impact is district wide (including South Downs National Park) for new residential proposals within 400 metres of the Wealden Heaths Phase II Special Protection Area.

The SPD addresses the need for specific members of the community, including those requiring affordable housing in rural areas and Gypsies, Travellers and Travelling Showpeople.

A4. Is the policy/function corporate and far-reaching?

The SPD has to be adopted by the Council prior to it carrying full weight in the determination of planning applications. Once adopted, it is a material planning consideration for development proposals seeking planning permission in the district (including within the SDNP).

A5. Are you expecting to make any significant change to the policy or service in the near future? If so, please give details.

This is a draft SPD and is subject to change until it is adopted by the Council for use in the determination of planning applications. This Equality Impact Assessment scoping assessment form accompanies the draft SPA SPD process of preparation. The draft SPA SPD is therefore subject to change following consultation and throughout the process until adopted.

Following adoption, the outcomes from the implementation of the SPA SPD will be monitored and the results documented in the Monitoring Report, which is produced annually. The results of monitoring will determine whether future updates are made to the SPA SPD.

A6. Is this a new or existing policy or function?

It has historically been very difficult to find sites to allocate for Gypsy, Traveller and Travelling Showpeople accommodation. A number of known existing pitches and plots already lie within the 400 metre SPA buffer which may have the possibility to be expanded. With regard to affordable housing in rural areas, through a call for sites, only two sites have been promoted both of which are located within the 400 metre SPA buffer zone.

The East Hampshire District Joint Core Strategy: Habitats Regulations Assessment sets out the approximate amount of windfall dwellings which would be allowed to come forward within the plan period within 400 metres of the Wealden Heaths Phase II Special Protection Area. However, monitoring of the early years of the plan period has demonstrated that a significant number of windfall schemes for dwellings have been granted planning permission within the 400 metre buffer zone. Therefore, in 2015 the Council commissioned a reassessment of the windfall allowance within 400 metres. The results of this work demonstrated that the windfall allowance could be increased slightly.

There is therefore a need to safeguarding the remaining windfall allowance within 400 metres of the Wealden Heaths Phase II Special Protection Area for Gypsy, Traveller and Travelling Showpeople accommodation and rural exception sites to help both planning authorities try to meet the districts identified needs for such accommodation.

B. EVIDENCE/ DATA and CONSULTATION

It is important to consider all information that is available in determining whether the policy or function could have a differential impact. Please attach examples of monitoring information, research or consultation reports.

B1. What monitoring or other information do you have about relevant target groups, which will show the impact of the policy or function?

A eight week public consultation will gather the views of the local community and stakeholders. The consultation will attempt to seek the views of the community, including those who do not regularly engage with Local Plan consultations.

The impact of the SPA SPD will be monitored in the Monitoring Report, prepared annually. It will take time to collect data, given the time it takes from planning permission being granted to completion and occupancy of developments.

B2. Have you compared the data you have with the equality profile of the local population? What does it show?

Whilst the Council has not previously monitored the profile of respondents to Local Plan consultations, it is generally known in planning that respondents tend not to be well represented by minority or less heard groups, and representations generally are made by settled, well established, middle to older age people.

B3. Have you identified any improvements or other changes that could be made from monitoring the data?

Particular care will be taken to ensure that a broad and representative cross section of the district's communities is consulted.

The Council and South Downs National Park Authority websites will be used to advertise the consultation, and Council officers will raise awareness of the consultation internally across services, so awareness can be raised through known contacts (such as development management team).

B4. Have you consulted or involved external stakeholders about the policy or function? If so, what were their views?

Prior to the public consultation, the Environment Agency, Historic England and Natural England were consulted on the Habitat Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) screening assessment. The screening assessment forms part of the consultation documents. These three consultees will be consulted formally during the consultation.

B5. Have you undertaken any consultation with staff to assess their perception of any impacts of the policy or function? If so, what has been learnt from them?

Internally, early engagement took place with Policy Officers at East Hampshire District Council and South Downs National Park Authority. Natural England was verbally introduced to the concept regarding safeguarding sites within 400 metres for the Traveller Community early in the process. All welcomed the safeguarding of sites within the 400 metre buffer zone.

B6. Please provide information about any other consultation, research, or involvement undertaken in relation to this impact assessment.

Research was carried out to provide the evidence to justify the safeguarding of sites for the Traveller community and affordable housing in the rural communities. This information is detailed in the SPD.

C1. IMPACT OF THE POLICY OR FUNCTION

Assess the potential impact on each of the equality strands/groups. The impact could be negative, positive or neutral. If you assess a negative impact for any of the groups then you will need to assess whether that impact is low, medium or high. Refer to the evidence you use.

DESCRIPTION OF IMPACT	Nature of Impact (Positive, Neutral, Adverse)	Extent of Impact (Low, Medium, High)
SEX: Identify the potential impact of the policy or function on men and women		
The SPA SPD is independent of the sex of a person. There is no evidence that there will be a differential impact based on the sex of a person.	Neutral	
RACE: A group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.		
The SPA SPD aims to help meet the accommodation needs for Gypsies, Travellers and Traveling Showpeople and those requiring affordable housing the rural communities.	Positive	
DISABILITY: A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.		
The SPA SPD is independent of a person's disability. There is no evidence that there will be a differential impact based on a person's disability.	Neutral	
AGE: Identify the potential impact of the policy or function on different age groups		
The SPA SPD is independent of different age groups. There is no evidence that there will be a differential impact based on different age groups.	Neutral	
SEXUAL ORIENTATION: Identify the potential impact of the policy on lesbian, gay, bisexual or heterosexual people		
The SPA SPD is independent of sexual orientation. There is no evidence that there will be a differential impact based on sexual orientation.	Neutral	
RELIGION OR BELIEF: Identify the potential impact of the policy on people with different religions or beliefs		
The SPA SPD identifies the needs for those persons of nomadic habitat of life.	Positive	
GENDER REASSIGNMENT: The process of transitioning from one gender to another.		
The SPA SPD is independent of gender reassignment. There is no evidence that there will be a differential impact based on gender reassignment.	Neutral	
MARRIAGE AND CIVIL PARTNERSHIP		
The SPA SPD is independent of people's marital or civil partnership status. There is no evidence that there will be a differential impact based on marital or civil partnership status.	Neutral	

PREGNANCY AND MATERNITY Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.		
The SPA SPD is independent of whether people are pregnant. There is no evidence that there will be a differential impact based on the condition of being pregnant or linked to maternity.	Neutral	
OTHER – E.g. Carers, Rurality		
The SPA SPD does refer to the need for affordable housing in the rural communities.	Positive	

PLEASE NOTE: Following completion of the section above, if the nature of the impact is adverse then you may need to proceed to a full equality impact assessment.

C2. Could you minimise or remove any adverse or potential impact that is high, medium or low significance, in advance of a full impact assessment? Explain how. No adverse impact identified.
C3. Does the policy or function actively promote equal opportunities and good community relations? Or could changes be made so that it does so? Yes – the SPA SPD seeks to help meet the accommodation needs for those in the Traveller Community and those requiring affordable housing in the rural communities.
C4. Please provide any further information, qualitative or quantitative that does not fit into the questions but you feel has a likely impact on this assessment. N/A.

D. CONCLUSIONS			
D1. Was there sufficient data to complete the partial assessment?	Yes?	Y	If “NO”, what arrangements are in place for evidence gathering and continuing with the assessment?
	No?	<input type="checkbox"/>	
D2. Is the outcome of the screening assessment that the policy or function would have an adverse impact (medium or high impact) on one or more target group?	Yes?	<input type="checkbox"/>	If “YES”, will you proceed to a full assessment? If so, what arrangements are in place to carry out the full assessment?
	No?	N	

D3. Is the outcome of the assessment that the policy or function would have a neutral or positive impact on equalities?	Yes?	Y	If “YES”, have you included proposals in the Action Plan to further improve the impact of the policy or function on equalities?
	No?	<input type="checkbox"/>	Do you plan to review the service or policy again in future to assess whether there has been any change? If so, when? There is only one stage of consultation planned prior to the adoption of the SPA SPD. However, should consultation warrant significant changes to the document, an updated EQIA scoping assessment would be prepared.

D4. Do you have any other conclusions/outcomes from the assessment?

No.

D5. Summary of findings

This assessment has identified positive impacts on equalities. If the SPA SPD is adopted the safeguarding of sites within 400 metres of the Wealden Heaths Phase II Special Protection Area will be for Gypsies, Travellers and Travelling Showpeople accommodation and rural exception sites until the limit within the 400 metres has been met.

An Equalities Impact Assessment is not required.

ACTION PLAN for enhancing existing practice

Recommendation/ issue to be addressed	Planned Milestone	Officer Responsible
Continued consideration of engagement with harder to reach members of the community in reference to future consultations.	Local Development Scheme (timetable for preparation of the Local Plan)	Planning Policy Team

RESOURCES - Does the above action plan require any additional resources?

No.

ARRANGEMENTS FOR MONITORING - Please give your plans for monitoring the achievement of the above actions.

Include equality questions in the consultation survey to monitor:

- Ethnicity
- Disability
- Gender
- Age

Signature of Lead Officer	Ian Mawer	Date: 29/11/17
Signature of Corporate Manager or Chief Officer:	Simon Jenkins	Date: 29/11/17