

APPENDIX 7

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty 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.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

The Council has also decided to treat people who have care experience as if they had a protected characteristic under the law.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

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 making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Executive's Department	Title of the Lead Officer responsible for EIA	Head of Planning and Economic Development
Name of the policy or function to be assessed:		Chetwynd: The Toton and Chilwell Neighbourhood Plan	
Title of the Officer undertaking the assessment:		Senior Planning Policy Officer	
Is this a new or an existing policy or function?		New local planning policy which will form part of the Development Plan, sitting alongside the Local Plan, if successful at referendum. There has been extensive public consultation in relation to this document and it has been the subject of an Independent Examination.	
<p>1. What are the aims and objectives of the policy or function?</p> <p>Neighbourhood Plans set out the (community's) vision for an area and planning policies for the use and development of land within the Neighbourhood Area (in this case, the Chetwynd: The Toton and Chilwell Neighbourhood Area). If the Neighbourhood Plan is successful at referendum, then once adopted, its policies will form a part of the Development Plan for this part of Broxtowe Borough, sitting alongside the Local Plan. The first part of the 'Vision' of the Chetwynd: The Toton and Chilwell Neighbourhood Plan is to 'protect and enhance the wellbeing of people who live and work in our Area'.</p> <p>Further information in relation to Neighbourhood Plans can be found within Planning Practice Guidance at the following (gov.uk) website link: https://www.gov.uk/guidance/neighbourhood-planning--2.</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>Neighbourhood Plans should help to deliver the aspirations of the local community in terms of protecting and enhancing built development and the environment of their local area.</p>			

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<p>Assuming that the Independent Examiner's recommendations are all accepted, the Neighbourhood Plan would include 28 policies:</p> <ul style="list-style-type: none"> • ENV01 - Local Green Space • ENV02 - Natural Environment • ENV03 - Green and Blue Infrastructure Requirements • INF01 - Road Infrastructure • INF02 - Active Travel INF03 - Public Transport • INF04 - Parking & Reducing Travel Demand • HAS01 - Housing Mix HAS02 - Green Design & Sustainability • HAS03 - Broadband Connectivity • HAS04 - On-Site Construction • URB01 - Amenity Space & Privacy • URB02 - Minimising Crime • URB03 - Street Design • URB04 - Well Designed Neighbourhoods • URB05 - Strategic Location for Growth, West of Toton Lane • URB06 - Infill Development • LHC01 - Local Centres LHC02 - Heritage Assets • LHC03 - Heritage Trail LHC04 - Secondary Education • LHC05 - Primary Education and Medical Facilities • LHC06 - New Leisure Centre • LHC07 - Sports Field and Pavilion • LHC08 - Provision of Allotments • EMP01 - Strategic Location for Growth Business Zone • EMP02 - Chetwynd Barracks Business Zone • EMP03 - Smart Building Technologies & Modern Methods of Construction 			
<p>3. Who is intended to benefit from the policy or function?</p> <p>The local community including residents and businesses, landowners and potential developers and a range of other stakeholders.</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Chetwynd: The Toton and Chilwell Neighbourhood Forum and its members, local residents and businesses, Broxtowe Borough Council, Nottinghamshire County Council, the East Midlands Development Company, community organisations and other groups within the local community and a range of other organisations.</p>			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p>			

Directorate:	Chief Executive's Department	Title of the Lead Officer responsible for EIA	Head of Planning and Economic Development
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Extensive research was undertaken throughout the development of the Neighbourhood Plan. Please refer to the Neighbourhood Plan (main text) and the Consultation Statement (these documents can be viewed on Broxtowe Borough Council's website at the following link:

<https://www.broxtowe.gov.uk/for-you/planning/planning-policy/neighbourhood-planning/chetwynd-the-toton-and-chilwell-neighbourhood-plan/>

Further information can be viewed on the website of Chetwynd: The Toton and Chilwell Neighbourhood Forum at the following link: <https://cttcnf.org.uk/plan/>

6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?

Extensive research was undertaken throughout the development of the Neighbourhood Plan. Please refer to the Neighbourhood Plan (main text) and the Consultation Statement (these documents can be viewed on Broxtowe Borough Council's website at the following link: <https://www.broxtowe.gov.uk/for-you/planning/planning-policy/neighbourhood-planning/chetwynd-the-toton-and-chilwell-neighbourhood-plan/>). There are links to additional documents on pages 33 – 34 of the Consultation Statement, which can be viewed on Broxtowe Borough Council's website at the following link: <https://www.broxtowe.gov.uk/media/9606/consultation-statement-revised-nov-2021.pdf>.

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?

Various community and business consultations were undertaken. These helped to develop the policies, aspirations and supporting text within the Neighbourhood Plan. Further information in relation to some of the consultations undertaken can be found on the Chetwynd: The Toton and Chilwell Neighbourhood Forum's website at the following link: <https://cttcnf.org.uk/plan/>.

8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:

- Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?**

The policies of the Neighbourhood Plan have the potential to benefit all members of the local community. No groups should be excluded.

- Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

Yes, the Neighbourhood Plan has been developed by the Neighbourhood Forum and members of the local community for the benefit of all members of the local community.

- Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

This should not be the case.

- Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

Yes, as the development of the Neighbourhood Plan has been led by the Neighbourhood Forum with the support and widespread involvement of the local community, it has already helped to promote and enhance community cohesion through this process.

- What further evidence is needed to understand the impact on equality?**

It is not considered that any further evidence is needed.

- 9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?**

Age: None Identified

Disability: None Identified

Gender: None Identified

Gender Reassignment: None Identified

Marriage and Civil Partnership: None Identified

Pregnancy and Maternity: None Identified

Race: None Identified

Religion and Belief: None Identified

Sexual Orientation: None Identified

Care Experience: None Identified

In relation to 'Human Rights', the Independent Examiner for the Chetwynd: The Toton and Chilwell Neighbourhood Plan stated within paragraph 3.10 of her Report: 'Broxtowe Borough Council is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998) and, from my independent assessment, I see no reason to disagree'.

Chief Executive:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature: 