

Equality Impact Assessment

Appendix 8

The Council has a duty under the Equality Act 2010 and associated Public Sector Equality Duty (PSED) to ensure that the objectives and policies contained in a Local Plan eliminate unlawful discrimination (direct and indirect), as well as advancing equality of opportunity and fostering good relations between those with a protect characteristic. An Equality Impact Assessment (EqIA) is used by Local Authorities to demonstrate how this duty has been met. Furthermore, the completion of an EqIA is required to demonstrate legal compliance during Local Plan preparation.

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What are you thinking of changing or implementing?

The Council is in the final stages of preparing a new Local Plan which sets out the future development strategy of the Borough and will replace the Core Strategy and Development Sites and Policies Plan once adopted. Policies within the Publication Local Plan were subject to the EqIA¹ process in September 2020 and May 2021². These EqIAs set out how the Council has evaluated the impact of the Local Plan on equality throughout its preparation.

This EqIA update supports the adoption version of the Fareham Local Plan 2037 which identifies the Council's development strategy for the Borough up to 2037. This makes provision for the delivery of at least 9,556 new homes and around 122,000 m² of new employment floorspace across the Borough up to 2037. The Local Plan seeks to promote inclusion and ensure that all people have access to services and opportunities that they may need such as housing, employment, public transport and facilities (e.g. education, health and local retail).

Following the examination in public of the Local Plan in Spring 2022 by an Inspector appointed by the Secretary of State, the Inspector produced a list of amendments to the Plan, known as 'Main Modifications'. Main modifications are recommended by the Inspector in order for the Plan to be found sound. The schedule of Main Modifications³ set out the proposed changes which reflect the discussions at examination hearing sessions and updates required since the plan was submitted for examination. The Council has also produced a separate schedule of additional modifications⁴ since the Plan was submitted for examination which do not materially affect the Plan's policies and are either factual or spelling corrections.

The main modifications were subject to a six-week public consultation from 21st October 2022 to 12th December 2022 which was carried out in accordance with the Council's Statement of Community Involvement (SCI)⁵. The Main Modifications to the Local Plan

¹ http://planningpdf.fareham.gov.uk/PDF/planning/publicationplan/EQIA_FINAL.pdf

² http://planningpdf.fareham.gov.uk/PDF/planning/local_plan/GEN004_Equalities_Impact_Assessment.pdf

³ <https://moderngov.fareham.gov.uk/documents/s32973/Appendix%201%20Schedule%20of%20Main%20Modifications%20to%20the%20Local%20Plan.pdf>

⁴ [Appendix 5 Schedule of Additional Modifications to the Local Plan.pdf](Appendix%205%20Schedule%20of%20Additional%20Modifications%20to%20the%20Local%20Plan.pdf) (fareham.gov.uk)

⁵ http://www.fareham.gov.uk/planning/local_plan/sci.aspx

have been subject to a Sustainability Appraisal (SA)⁶ which assessed the social, economic and environmental effects of the Main Modifications, to ensure that, as far as possible, the modifications and the Local Plan as a whole accord with the principles of 'sustainable development'.

The Main Modifications consultation allowed the opportunity for representations to be made by all members of the public and key stakeholders. The Council passed on all representations in connection with the main modifications to the Inspector, who has considered them whilst in the process of completing her final report.

In March 2023, the Inspector submitted her final report on the Local Plan to the Council in which she recommends that all of the main modifications proposed are made, in order to make the Local Plan sound and legally compliant.

This EqIA update has been prepared in order to include how the Public Sector Equality Duty has been taken into account in particular for the Main Modifications which contribute to the final adoption version of the Local Plan.

What is the expected or anticipated impact of this change?

The Equalities Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Sex (gender)
- Pregnancy and maternity
- Marriage and civil partnerships
- Gender reassignment
- Religion or belief
- Sexual orientation
- Race

The Main Modifications to the Local Plan policies have been assessed against the nine protected characteristics. The assessment involved identifying the likely impacts arising from the Main Modifications to the Local Plan and then considering whether these have a positive, neutral or negative impact on the protected characteristics.

The combined effect of the Main Modifications making up the adoption version of the Local Plan with regards to balancing the proposed new development with environmental protections will have no adverse impacts upon the Borough's current and future residents, workers and visitors. This is regardless of protected characteristics which cover age, sex, disability, marital status, sexual orientation, race, or religious beliefs.

Protected characteristic: Age (including children and young people)

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: **None**

⁶ [Appendix 2 SA Update Report September 2022.pdf \(fareham.gov.uk\)](#)

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of age, However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Protected characteristic: Disability (including physical and those with mental health conditions)

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: **None**

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of disability (including physical and those with mental health conditions). However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Protected characteristic: Gender reassignment

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: **None**

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of gender reassignment. However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Protected characteristic: Marriage and civil partnership

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: **None**

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of marital and civil partnership status. However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Protected characteristic: Pregnancy and maternity

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: **None**

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of pregnancy and maternity. However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Protected characteristic: Race

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: **None**

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of race. However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

The main modification of Policy HP11 (MM098), removing the criteria that proposals will be permitted where 'there is an identified need and/or personal circumstances necessitate the need' removes a potentially adverse impact on this characteristic.

Protected characteristic: Religion or belief

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: None

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of religion and belief. However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Protected characteristic: Sex (gender)

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: None

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of gender. However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Protected characteristic: Sexual orientation

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Impact identified: None

The Publication Plan EqIA acknowledged that the Local Plan will have an impact on all those who live and work in the Borough regardless of sexual orientation. However, there is no evidence suggest that the Main Modifications to the Local Plan either on their own or the adoption version of Local Plan as a whole will have an adverse or disproportionate impact upon this protected characteristic. This is because they are not aimed at specific individuals or groups but only at the Borough's future development.

Conclusion

As set out in the EqIA for the Publication version of the plan, the Local Plan will seek to deliver specific types of development and at specific locations. The main modifications and the subsequent adoption version of Local Plan as a whole remains unchanged from this objective. Development at any site could have equality implications for new residents and users/workers within the site, and also communities in adjacent areas. The extent to which control over these potentially different impacts can be exercised varies. For instance, planning policy can provide an opportunity for affordable homes in the Borough but cannot influence national factors in relation to affordability.

Overall, the Local Plan policies in the adopted version of the Local Plan have been designed to improve the relevant protected characteristics where possible and to have a neutral impact. It is not anticipated that there will be any direct impact on equality issues related to the nine protected characteristics as a result of the policies and development proposed in the Fareham Local Plan 2037. It is considered that the policies and resulting development patterns of the Plan are likely to have some positive effects on the age, disability and race strands. The Main Modifications made to the plan do not alter the equality impact of the Local Plan on each of the nine protected characteristics.

Policies will be monitored through the Monitoring Report which will make additional observations and recommendations for alterations to policy in line with the effectiveness of policy in achieving the Plan's aims. The Sustainability Appraisal and update has been a vehicle through which the standalone and in combination effects of the plan, against key sustainability objectives, has been assessed and where applicable altered to avoid or mitigate the impact of those policies on equalities groups.