

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: City Development	Service area: Forward Planning and Implementation
Lead person: Chris Bolam	Contact number: 2478087

1. Title: Local Development Order (3): Leeds District Heating Network

Is this a:

Strategy / Policy

 Service / Function

 Other

If other, please specify

2. Please provide a brief description of what you are screening

The Local Development Order (LDO) would grant planning permission the development of a District Heating Network (DHN) comprising of pipes, cables and wires, heat exchange equipment, street furniture, informational signage and ancillary engineering works within defined areas of land in the City of Leeds and shown on the attached map (MAP LDO 3), subject to conditions.

The principal aim of the LDO is to encourage the uptake and implementation of a DHN in accordance with Leeds Core Strategy policy EN4 District Heating.

Leeds City Council (“Council”) is determined to promote and support the development of an ambitious, city-wide DHN. By distributing heat to multiple users through a underground pipe network, several thousand homes and businesses can be connected to remote sustainable heat sources. The Recycling and Energy Recovery Facility (RERF), less than two miles to the east of the city centre, creates an opportunity for the creation of large volumes of heat, close to the densely

developed urban area.

LDOs are a planning tool available under the provisions of the Town & Country Planning Act 1990, as amended. LDOs were introduced by the Planning and Compulsory Purchase Act 2004 and commenced in 2006 and have been subsequently amended by the Planning Act 2008 and again in 2015. The detail legal provisions on LDOs are contained in Article 38 to the Town and Country Planning (Development Management Procedure) (England) Order 2015 (SI 595) which came into force in April 2015. LDOs grant permission for the type of development specified in the Order, and by doing so, remove the need for a planning application. If development complies with the requirements of the LDO it can be assumed that it can be started straight away (subject to compliance with other legislation). The Local Planning Authority has the right to apply conditions in the LDO, similar to those that might be applied to a planning permission, to ensure that the development is acceptable in planning terms.

The LDO has been developed to support the implementation of a district heating network in Leeds so that all the benefits offered by such a facility can be realised. The LDO offers certainty of outcome for the specified development by defining in advance, acceptable works that can be undertaken without the need for planning permission, removing unnecessary costs and time delays to implement these changes and providing certainty that development is permitted.

It is intended that the LDO would have a limited lifetime of five years. If the LDO were revoked before this time, there may be a requirement for the council to pay compensation to an owner who was intending to carry out development through the LDO. There is also the option to review and extend the lifetime of the LDO beyond this period.

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	X	
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on		

<ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		X
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If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The LDO applies to all the public highway within an area most likely to offer sufficient demand to allow creation of a viable and deliverable district heat network in Leeds. It covers areas of high density development and populations, large public buildings. The small number of private land holdings are included where they offer opportunities for efficient routing of the network and have been identified through feasibility studies.

Presently, development of the heat network by a private business would constitute an engineering operation and require a detailed planning application to be submitted and assessed by the council. This planning application process includes limited consultation with the surrounding properties/premises notifying them of the proposed development on neighbouring land and offering them the chance to comment on the planning application. Consequently, the LDO will have an impact on neighbouring residents' rights to comment on planning applications for works now covered under the LDO.

The regulations require that the LDO is subject to a statutory consultation period of a minimum of 28 days, offering residents/occupiers the opportunity to comment on the change in planning procedure in their area. The public consultation process for the LDO complied with the Government regulations contained within the DMPO which required any bodies and individuals who would normally be consulted on a similar planning application to be notified. This was done using public notices along the main spine route and at regular intervals throughout the larger area. In addition, a public notice was placed in the paper and a web page created specifically for the consultation. The council also sent letters and emails to those volunteer groups that represent the interests of the people of Leeds. The consultation process also took into consideration the guidelines/recommendations contained within the Leeds City Council Statement of Community Involvement. The main aspects of the consultation process were as follows:

- Consultation with local ward members on early drafts, including two drop in sessions on the consultation version;
- The consultation went live on the council's website on 16th November 2015. A response form could be downloaded from the website;
- Letters & emails serving notice on directly affected landowners/tenants of non-domestic properties (sent out on 12th & 13th November 2015);
- Letters were sent to statutory consultees and other relevant consultees/bodies (mainly by email) on 13th November 2012;
- 80 site notices were posted in prominent locations within the LDO boundary and surrounding areas on 12th & 13th November 2015;
- A public notice advertisement was placed in the Yorkshire Post & Yorkshire Evening Post on 16th November 2015.

Consequently, neighbouring residents were mainly informed of the LDO proposal through site notices posted at key junctions/locations, the newspaper advertisements and through emails/letters sent to networks of established residential and social groups/meetings in the affected areas. Two private residents and Leeds Civic Trust responded to the consultation. Statutory consultation bodies formed the majority of the respondents.

The content of the LDO was amended to reflect the representations received during the consultation period.

- **Key findings**

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

The consultation process produced a limited response from the local community and 14 written responses were received to the consultation, mainly from local landowners, business and planning consultees. No negative equality issues were highlighted within these responses and the implications for all equality characteristics have been considered throughout the process.

Implementing a district heating network mainly involves the laying of large underground pipes which carry hot water. The impact of the works are mainly constrained to the construction period and can cause temporary road works depending on the location. Following construction there is usually no visual change in the area, other than a new surface to the excavated area. Occasionally will be accompanying structures and signs. These are controlled through planning conditions attached to the LDO to ensure potential visual impact is minimised. The sizes used are similar to existing highway structures such as street signs and traffic light signalling equipment which benefit from permitted development rights.

The ability to utilise the order for development activity is based entirely on the nature of the business and geographical location of the development proposal, rather than any personal or group characteristics. Whilst businesses and residents currently located outside the area will not be able to take advantage of the creation of a district heating network, this lack of opportunity applies to all businesses and residents outside the area, with no specific detrimental effects on any particular group. Heat networks have the greatest potential to create positive impacts for those living in high density, high rise residential developments; irrespective of the equality characteristics of the individuals who live there. The impact on the various equality groups has been considered and no impacts for various groups to include BME, disabled, age, gender, sexual orientation, religious or carers has been identified. Consequently, it is considered that the creation of the LDO does not impact directly on equality, diversity, cohesion and/or integration. It

also provides a consistent approach for the LDO affected land which has the effect of creating an equal status for all.

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

1.1.1 The LDO is likely to have a positive impact on regeneration, enterprise and the local economy within the area. The LDO is likely to have a direct positive impact on regeneration, enterprise, the local economy, equality, diversity, cohesion and/or integration. The LDO promotes an efficient and green form of heat energy which is cheaper than traditional grid supplied gas or electricity. It will be particularly beneficial to those in high density high rise residential developments and contributes towards narrowing the gap.

5. If you are *not* already considering the impact on equality, diversity, cohesion and integration you *will need to carry out an impact assessment*.

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
David Feeney	Head of Forward Planning and Implementation	

7. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.

Please send a copy to the Equality Team for publishing

Date screening completed	21/1/16
Date sent to Equality Team	
Date published (To be completed by the Equality Team)	