

Equality, Diversity, Cohesion and Integration (EDCI) 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 or has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: City Development	Service area: Planning & Sustainable Development
Lead person: Victoria Hinchliff Walker	Contact number: 0113 3788027

1. Title: Creation of a Special Purpose Vehicle for the Purposes of Habitat Banking under the Environment Act 2021.

Is this a:
Other

If other, please specify: Setting up of an arms-length company to operate as a Habitat Banking Vehicle for the purposes of Biodiversity Net Gain.

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

It is proposed to set up an arm's length company which will operate as a Habitat Banking Vehicle (HBV), responsible for managing Council owned sites upon which biodiversity improvements will take place under the terms of the Environment Act 2021.

The HBV would undertake to be responsible for the implementation, monitoring and maintenance of the biodiversity gain sites, working through the Council in its roles as both landowner and Local Planning Authority.

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or 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. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

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	

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 proposal is to set up an arms-length company to which the Council would lease land that could be used for biodiversity/habitat improvements under the Environment Act 2021. This would involve the leased land being “marketed” as one option for developers to use (they may also choose to use their own land, third party land or pay government charges) and ultimately registered with Natural England..

The arms-length company form is required as the biodiversity gain sites have to be bound by some form of legal agreement or covenant and the Council cannot enter into such agreements with itself on its own land. Instead the legal agreement would be between the planning authority and the HBV (the planning authority is involved as the main operator of biodiversity net gain through the planning system).

The HBV may need to contract out work to external contractors where this cannot be provided by the Council. Anticipated that the HBV would be subject to the same procurement and contracting implications as those of the Council, including consideration of Social Value in procurement.

The process as a whole will be subject to scrutiny, with published reports on an annual basis and an overseeing Board consisting of relevant senior managers and legal officers within the Council.

With regard to protected characteristics, it is not considered that there would be any one characteristic that would be detrimentally impacted on. Specific impacts would be dependent upon individual sites and the proposals for habitat enhancement on those sites. Each site however would be subject to approval (in terms of the work to be undertaken on the site) via the planning system so there will be opportunities at that stage to review issues around accessibility, impacts on protected characteristics etc.

Sites going forward to the HBV for consideration by developers would come via individual service areas in whom the land is vested and consideration of using the land for biodiversity purposes would be subject to usual due diligence and governance arrangements.

- **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 purpose of putting council land forward for biodiversity will have positive impacts on local communities who will gain new habitat provision within their local area. Priorities for biodiversity set by the Council, and by WYCA through the Local Nature Recovery Strategy will steer where sites will be put forward.

The impact of most concern is where land that is currently open and accessible might need to be closed to public access or have access restricted. This would be to enable planting to establish itself, or to protect sensitive habitats. Such restriction would not target any one protected characteristic but could have adverse impacts for example on lower income areas that may be deficient in open and green space.

- **Actions**

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

A map of biodiversity sites will be publicly available.

Members will be kept up to date on sites and the implementation of biodiversity gains through annual reporting.

Sites would need to be carefully considered, especially if the site is an existing area of greenspace that is used by the public. If public access is to be restricted as a requirement of the biodiversity gain plan there would need to be public consultation undertaken which would explain the purposes and benefits of the proposal. This would be the responsibility of the service area leasing the land to the HBV.

If the site will retain some form of public accessibility then the plans submitted to and approved by the Local Planning Authority would need to consider how the site will be made accessible to all. The plans would be subject to normal consultation procedures as existing green space plans (via the conditions discharge process). Where considered necessary the Access Officer would be consulted, and the case officer in Planning would be required to consider EDCI matters in their decision-making process.

There are opportunities through negotiations between developers and LPA to ensure involvement of local communities or hard to reach groups in the biodiversity proposals (e.g. through initiatives to implement planting with the community, or to maintain through volunteer opportunities etc.).

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
Martin Elliot	Head of Service, Strategic Planning	18/01/2024
Date screening completed		18/01/2024

7. Publishing	
<p>Though all key decisions are required to give due regard to equality the council only publishes those related to Executive Board, Full Council, Key Delegated Decisions or a Significant Operational Decision.</p> <p>A copy of this equality screening should be attached as an appendix to the decision making report:</p> <ul style="list-style-type: none"> • Governance Services will publish those relating to Executive Board and Full Council. • The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions. • A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record. <p>Complete the appropriate section below with the date the report and attached screening was sent:</p>	
For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: