

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: Strategic Planning
Lead person: Adam Harvatt	Contact number: 0113 3787637

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) grants planning permission for 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. The current LDO has been in place since March 2016 but is due to expire in February 2022. The decision to be screened is the intention to renew the LDO until December 2025 with minor updates to ensure the document remains in accordance with national and local planning policy.

Since the LDO's inception in 2016, the council has declared a climate emergency. The council is now committed to making Leeds carbon neutral by 2030, and tackling

climate change is one of the 3 key pillars within the Best Council Plan. The measures identified to achieve carbon neutrality by 2030 include:

- reduce the council's carbon footprint
- reduce the level of greenhouse gas emissions from buildings in the city
- promote a less wasteful, low carbon economy
- reduce flooding and other risks from the impact of climate change
- build sustainable infrastructure
- to help residents reduce their own carbon footprints

District heating continues to be a strategic priority for the city, with £47m invested by the Council in the Leeds PIPES network to date. SSE are also developing a business case to build a district heating network (DHN) using heat from the proposed new energy from waste plant in the Aire Valley.

Phase 1 and 2 of the construction of the Leeds PIPES DHN benefited from the existing LDO3 which gives permitted development rights to underground sections of the DHN, and small above ground kiosks, in a similar way to statutory undertaker rights.

LDO3 was first adopted on 9th March 2016 and revised and readopted in February 2017. It is due to expire on 18th February 2022.

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 an 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 detailed 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 will be extended until December 2025 to align with proposed national changes to the delivery of District Heating Networks. 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

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.

Without the LDO in place, 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.

- **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)

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. The project will have a direct positive for all communities both residential and commercial on its route given the spatial layout within defined areas. In addition to this the protected characteristics of the BAME community, disabled, age (to include in particular the elderly and young), gender and those on lower incomes will particularly benefit.

In terms of public consultation the regulations require that the renewal of the LDO is subject to a statutory consultation period of a minimum of 28 days, offering residents/occupiers the opportunity to comment on the proposal to extend the LDO until 2025. The public consultation process for the renewal of the LDO took place from 13th December 2021 to the 17th January 2022 and complied with the Government regulations contained within the DMPO which requires any bodies and individuals who would normally be consulted on a similar planning application to be notified. This was done by using public notices at regular intervals throughout the area affected. In addition, a public notice will be placed in the paper and a web page created specifically for the

consultation. The council also send letters and emails to relevant consultee bodies. The consultation process also took into consideration the guidelines/recommendations contained within the Leeds City Council Interim Statement of Community Involvement.

• **Actions**

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

The section considers the equality considerations in relation to the protected characteristics. Evidence since 2016 suggests that the renewal of 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.

Heat networks have the greatest potential to create positive impacts for those living in high density, high rise residential developments, this includes all protected characteristics within those areas. In particular as the project reduces fuel poverty it will also benefit those who are more vulnerable to the cold.

The proposal will be particularly beneficial to those in high density high rise residential developments and contributes towards narrowing the gap. The LDO will benefit all groups but in particular those on lower incomes. Low income and disadvantaged communities tend to be more vulnerable to fuel poverty. In addition, younger and older people will also benefit positively as well the disabled, women and the BAME community. The impact on the protected characteristics has been considered and due regard has been given as part of the process.

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 Feeny	Chief Planning Officer	

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	12/01/2022
Date sent to Equality Team	
Date published (To be completed by the Equality Team)	