

Draft Strategies/Policies - Equality Impact Check

Draft strategy/policy being checked:

Draft Developer Contributions Supplementary Planning Document (SPD)

Is this draft strategy/policy:

South only

Vale only

Joint across both councils

Service team: Planning Policy

Officer completing this check: Alison Williams – February 2022

Once completed:

Signed: Alison Williams Officer (10/02/2022)

Signed: Lynne Mitchell Equalities Officer (10/02/2022)

Signed: Harry Barrington-Mountford Head of Service (14/02/2022)

Why do you need to do this Equality Impact Check?

Our strategies and policies set out the way we will deliver our services (including employment opportunities). When we are developing them, we need to check that they are not going to create any barriers which could prevent people from accessing our services.

People in South Oxfordshire may face barriers because of things like **disability, gender (including transgender, pregnancy and maternity), age, sexual orientation, rural isolation, income, religion/belief or ethnicity**.

As well as thinking about how our services will meet the needs of these groups of people, we also need to consider how our draft strategies and policies will help us to:

- promote positive relations within communities
- give everyone a voice
- respect and value everyone
- protect people's human rights

This Equality Impact Check provides officers with a framework to help them work through these considerations in relation to their draft policy/strategy, ensuring that we are meeting our legal duties with regards to equality and diversity.

We have a statutory duty to carry out these assessments and they contribute towards our corporate priority to 'optimise access to services'.

If you have any queries about this Check or would like some advice/support in completing it, please contact the Shared equalities officer (see contact details below).

Once you've completed this Equality Impact Check, please send the paperwork to the shared equality officer, along with a copy of the draft strategy/policy.

Lynne Mitchell (Equalities Officer)

Email: lynne.mitchell@southandvale.gov.uk

Telephone: 07598 545906

OUTLINE OF THE DRAFT STRATEGY / POLICY YOU ARE CHECKING:

1. What are the aims and objectives of this draft strategy/policy?

Draft Developer Contributions Supplementary Planning Document (SPD)

Supplementary Planning Documents (or SPDs) are documents which add further detail to the policies in a Local Plan. They can be used to provide further guidance for development on specific sites or on particular issues, such as design or developer contributions. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

The Draft Developer Contributions SPD is supplementary to the South Oxfordshire Local Plan 2035 (adopted in December 2020) and provides further detail in relation to the delivery of its policies, in particular Policy INF1 (Infrastructure Provision).

There are a number of ways in which councils can seek developer contributions towards the provision of necessary infrastructure to support new development and mitigate impact on the local community.

This Supplementary Planning Document (SPD) provides guidance on planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), which are more commonly known as Section 106 Agreements and are a mechanism used by councils to mitigate the direct impacts of a particular development.

The SPD is relevant to all development proposals (including residential, employment and retail) and its purpose is to:

- Outline the differences between each of the mechanisms that the council can use for securing developer contributions (i.e. the Community Infrastructure Levy, Section 106 agreements, Section 278 agreements or planning conditions) and to explain the relevant legislative and planning policy context within which contributions are sought;
- Identify which mechanism will be used to secure developer contributions in different circumstances; and
- Explain what is expected of applicants and what the applicant can expect from the council in relation to securing infrastructure through Section 106 agreements.

Section 4 of the SPD sets out the council's specific Section 106 requirements by type of infrastructure (for example: affordable housing, education, transport, sport and recreation facilities etc).

2. Who is the proposed strategy or policy designed to support / help / serve?

The draft SPD sets out how the council will seek developer contributions to facilitate the necessary strategic and local infrastructure to support planned housing and employment growth identified in the South Oxfordshire Local Plan 2035. It could therefore have an impact on all those that live, work or spend their leisure time in the District. The main stakeholders could include local residents, businesses, education or healthcare providers, community/ voluntary groups or organisations. The SPD provides helpful guidance for developers on what the council requires them to provide (either on-site or by way of financial contributions) towards necessary infrastructure, which in turn will support/ serve these stakeholders.

3. If the draft strategy/policy relates to an existing Council service/function, has an Equality Impact Assessment (EIA) already been completed on the service/function?

Yes

No

If yes, please list any issues/barriers identified within the assessment that your draft strategy needs to address:

An **Equality Impact Assessment** was completed for the South Oxfordshire Local Plan 2035 (adopted December 2020) and can be viewed [here](#)

This assessed the impacts of policies in the Local Plan against '*protected characteristics*', which included: gender, disability, age, race, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, marriage, civil partnership and people living in rural areas.

Under Policy INF1 (Infrastructure Provision) the EIA concluded that: '***The provision of required infrastructure is relevant to all equality groups and can indirectly benefit everyone, however, this policy does not provide detail to determine its actual benefit specific to any one group.***'

No further action was identified.

4. Does the draft strategy/policy have the potential to cause a negative impact or discriminate against certain groups in the community?

Please see table overleaf.

Equality Group	Yes	No	<p>If 'YES', please explain how the strategy/policy could cause a negative impact or discriminate. If you cannot justify this, you will need to take mitigating action (complete the action plan at the end of this assessment).</p> <p>If 'NO', what existing evidence (presumed or otherwise) do you have for this? Will the service changes advance equality of opportunity between people who share a protected characteristic? This means will they:</p> <ul style="list-style-type: none"> • Remove or minimise disadvantages suffered by people due to their protected characteristics. • Take steps to meet the needs of people from protected groups, where these are different from the needs of other people.
All		No	<p>The draft SPD will support delivery of the necessary local infrastructure to support planned housing and employment growth across South Oxfordshire – it will support/serve all those living, working and spending leisure time in the District, including those who share a protected characteristic.</p>
People from ethnic minority groups		No	<p>There are not expected to be any barriers to participation in the public consultation on the draft SPD for people in this target group. We are committed to making all the consultation documents available in alternative languages if needed, with the aim of reducing barriers for people who do not have English as their first language.</p>
People with disabilities (including carers)		No	<p>Public consultation on the draft SPD will use digital methods of engagement alongside traditional methods. We will ensure that our consultation webpages and links to our online comment forms are as accessible and easy to use as possible. Hard copies of all the consultation documents will also be available to read at all the libraries in South Oxfordshire and at our Council Offices in Milton Park (latter by appointment).</p> <p>The consultation documents will also be available to view in alternative formats (e.g. large print, Braille, audio, email, Easy Read and alternative languages) on request.</p>
Men or Women (including pregnant women, women on maternity and transgender people)		No	<p>There are not expected to be any barriers to participation in the public consultation on the draft SPD for people in this target group – consequently, no negative impact or discrimination against this group.</p> <p>All the consultation documents will be made available to view both digitally via our website and in hard copy at all the libraries in South Oxfordshire and at our Council Offices in Milton Park (latter by appointment).</p>
Gay, lesbian or bisexual people		No	<p>There are not expected to be any barriers to participation in the public consultation on the draft SPD for people in this target group – consequently, no negative impact or discrimination against this group.</p>
People from different religions/beliefs (including people without a religion/belief)		No	<p>There are not expected to be any barriers to participation in the public consultation on the draft SPD for people in this target group – consequently, no negative impact or discrimination against this group.</p>

Equality Group	Yes	No	<p>If 'YES', please explain how the strategy/policy could cause a negative impact or discriminate. If you cannot justify this, you will need to take mitigating action (complete the action plan at the end of this assessment).</p> <p>If 'NO', what existing evidence (presumed or otherwise) do you have for this? Will the service changes advance equality of opportunity between people who share a protected characteristic? This means will they:</p> <ul style="list-style-type: none"> • Remove or minimise disadvantages suffered by people due to their protected characteristics. • Take steps to meet the needs of people from protected groups, where these are different from the needs of other people.
Older or younger people		No	<p>Public consultation on the draft SPD will use written methods of engagement alongside digital methods. We send out notification letters to those who request it and have no other means of engaging with us.</p> <p>Hard copies of all the consultation documents will be available to read at all the libraries in South Oxfordshire (and at our Council Offices, Milton Park with viewing by appointment).</p> <p>The consultation documents will also be available to view in alternative formats (e.g. large print, Braille, audio, email, Easy Read and alternative languages) on request.</p> <p>For younger people, the impact is positive, as young people are more likely to engage with our online methods of communication, including making use of the Council's social media channels.</p>
People living in rural areas		No	<p>The draft SPD covers all of South Oxfordshire, which includes a number of rural settlements. All the consultation documents will be available to view on our website and hard copies will also be placed in all of the libraries across the District (and at the Council offices, Milton Park with viewing by appointment).</p>
Local voluntary, community and faith sector organisations		No	<p>There are not expected to be any barriers to participation in the public consultation on the draft SPD for people in this target group – consequently, no negative impact or discrimination against this group.</p>

5. Have reasonable adjustments been made for people with disabilities to ensure they can use the draft strategy or policy? This might mean treating disabled people better than non-disabled people in order to meet their needs

Yes

No

If yes - please provide detail:

The draft SPD has been written using plain English and in a style that is easy to read and navigate. We will ensure that the consultation webpage and online comment form are as accessible and easy to use as possible, again using plain English. Hard copies of all the consultation documents will be available to read at all the libraries in South Oxfordshire (and at our Council Offices, Milton Park with viewing by appointment).

The consultation documents will also be available to view in alternative formats (e.g. large print, Braille, audio, email, Easy Read and alternative languages) on request.

We will provide contact details should anyone require assistance in accessing the draft SPD or participating in the public consultation.

6. Have there been any equality related recommendations in the area that your draft policy/strategy is covering which have arisen from, for example, internal/external audits or scrutiny reports?

Yes – The Equalities Officer was consulted during internal consultation on an initial draft version of the SPD and requested that paragraph 4.3 be amended to read:

*'It is good practice to involve town and parish councils, local community **and access groups** and district ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true where they may have detailed knowledge of local infrastructure needs and costs.'*

7. Will the draft strategy or policy help to foster good relations between people who share a protected characteristic and people who do not share it (e.g will the changes help to tackle prejudice and promote understanding between the different groups?)

No (If you feel there is scope to improve how you foster good relations, amend your decision accordingly)

Yes – please explain how:

Public consultation on the draft SPD will help to foster good relations by demonstrating that the Council is engaging with all those who live, work or spend their leisure time in the South Oxfordshire in the preparation of guidance on securing developer contributions towards necessary infrastructure that supports planned housing and employment growth across the District.

8. Will the draft strategy or policy protect and promote human rights? [You may find it helpful to view the human rights guide for public authorities on the intranet to help you decide]

- No – please explain why and how you will amend the draft policy/strategy to eliminate the effect (if you think the effect cannot be eliminated but can be justified, please also give details).
- Yes – please list relevant articles and briefly explain how you think your policy or strategy demonstrates compliance.

The human rights with relevance to this public consultation on the draft SPD are as follows:

- Article 8 Respect for your private and family life, home and correspondence.
- Article 10 Freedom of expression.
- Article 14 Protection from discrimination in respect of these rights and freedoms.
- Protocol 1,
Article 1 Right to peaceful enjoyment of your property.

No human rights will be affected by either the draft SPD itself or by the planned public consultation process. Human rights will continue to be taken into account once the SPD has been adopted by the council and comes into force.

9. Has there been consultation with relevant community groups to help inform this draft strategy or policy?

Yes.

If yes, please list who you have consulted/ will be consulting:

A range of key stakeholders will be consulted to help inform the preparation of the SPD, including:

- All Town and Parish Councils in South Oxfordshire
- Oxfordshire County Council
- All South Oxfordshire District Councillors
- All neighbouring local authorities
- All those (both individuals and organisations) who have signed up to receive notifications about any of the council's planning consultations relating to South Oxfordshire and/or South Oxfordshire and Vale of White Horse.
- We will also pass on the notification email (containing details on the public consultation) to some colleagues across the wider council, so that they can share it with any individuals or organisations on their database(s), who they consider may have a particular interest in the public consultation and wish to make comments on the draft SPD.

We will review all the comments we receive during the public consultation and summarise them in a Consultation Statement, which will cover the main issues raised and how we have addressed them in the updated final version of the SPD.

Do you feel there are any groups that the draft strategy or policy significantly affects who you have not currently consulted? If yes, please contact the shared equality officer for advice (see page 2 for contact details).

N/A

10. Has the draft strategy or policy missed opportunities to advance equality of opportunity and positive attitudes?

No

Yes – please outline the plans you have to address the missed opportunities below.

The Council will continue to encourage the participation of all sectors of the local community in the preparation of this SPD.

Action plan for mitigating action or advancing equality of opportunity

None required.