

Equality Impact Assessment / Equality Analysis

(Updated December 2022)

Item name	Details
Title of service or policy	Bath Air Quality Action Plan 2024
Name of directorate and service	Place Management; Public Protection and Building Control
Name and role of officers completing the EIA	Nicola Courthold, Senior Officer (Environmental Monitoring)
Date of assessment	August 2024

Equality Impact Assessment (or ‘Equality Analysis’) is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The main aim is to identify any discriminatory or negative consequences for a particular group or sector of the community, and also to identify areas where equality can be better promoted. Equality impact Assessments (EIAs) can be carried out in relation to services provided to customers and residents as well as employment policies/strategies that relate to staffing matters.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis. **Not all sections will be relevant – so leave blank any that are not applicable.** It is intended that this is used as a working document throughout the process, and a final version will be published on the Council’s website.

1.1 Identify the aims of the policy or service and how it is implemented

Key questions	Answers / notes
<p>1.1 Briefly describe purpose of the service/policy e.g.</p> <ul style="list-style-type: none"> ● How the service/policy is delivered and by whom ● If responsibility for its implementation is shared with other departments or organisations ● Intended outcomes 	<p>The Council is responsible for reviewing and assessing air quality under Part VI of the Environment Act 1995 (as amended by the Environment Act 2021). Where concentrations exceed the air quality objectives an Air Quality Management Area (AQMA) is declared. For each AQMA an Air Quality Action Plan (AQAP) is developed setting out how air quality will be improved.</p> <p>In 2002 the Council first declared an AQMA in Bath. This area has been varied 3 times, the most recent in 2013. The Council first adopted an Air Quality Action Plan in 2006, this was updated in 2011.</p> <p>The Council has revised this in the 2024 Air Quality Action Plan. This plan of actions has the goal of improving the air quality in Bath. The AQAP will be coordinated by the Environmental Monitoring team with the actions to be implemented by other departments (such as Highways, Public Health, etc) of the Bath North East Somerset Council.</p> <p>Nitrogen dioxide (NO₂) and particulate matter are the pollutants which are identified as presenting the highest risk and these are monitored throughout the authority. Exposure to high levels of NO₂ can make</p>

	<p>existing heart and lung conditions such as asthma worse; particulates are now known to contribute to heart disease and lung cancer (Air Quality - a briefing for Directors of Public Health, DEFRA, 2017).</p> <p>The intended result is to continue lower the concentrations of nitrogen dioxide and improve the quality of life of the residents to below the air quality objective of 36 µg/m³ for 3 years to allow the revocation of the Air Quality Management Area in Bath in line with DEFRA guidance.</p> <p>The Council will continue to monitor air quality in the areas. The Council will also be developing an air quality strategy to provide a framework in delivering local air quality improvements within Bath and North East Somerset district, as well as detailing the ambition the authority has with developing appropriate policies and applying appropriate regulatory control to ensure air quality continues to improve across the district.</p>
<p>1.2 Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> ● Is it a new service/policy or review of an existing one? ● Is it a national requirement?). ● How much room for review is there? 	<p>The Council is responsible for monitoring air quality and achieving compliance under Part VI of the Environment Act 1995 (as amended by the Environment Act 2021).</p> <p>The Bath Air Quality Action Plan 2024 is an update to the current Air Quality Action Plan under the requirement of DEFRA to update plans every 5 years. The plan will be complementary to the Clean Air Plan which forms part of the Government's Local NO₂ Plan initiative which is separate from the LAQM framework. The AQAP was developed in line with Defra guidance and relevant legislation. https://laqm.defra.gov.uk/wp-content/uploads/2023/11/LAQM-Policy-Guidance-2022.pdf</p>
<p>1.3 Do the aims of this policy link to or conflict with any other policies of the Council?</p>	<p>This plan incorporates a number of actions from strategies and plans across the council aimed at improving air quality and has no negative impacts or conflicts with other council policies.</p>

However, it will have a positive impact on the aims and objectives of the Council's Corporate Strategy (2023-2027).

2. Consideration of available data, research, and information

Key questions	Data, research, and information that you can refer to
<p>2.1 What equalities training have staff received to enable them to understand the needs of our diverse community?</p>	<p>As part of the Councils corporate training programme, all employees are required to complete the eLearning course on Equality, Diversity, and Inclusion.</p>
<p>2.2 What is the equalities profile of service users?</p>	<p>Information about the equalities profile of populations within Bath can be found at: https://beta.bathnes.gov.uk/strategic-evidence/document-library/bath-and-north-east-somerset-ward-profiles</p>
<p>2.3 Are there any recent customer satisfaction surveys to refer to? What were the results? Are there any gaps? Or differences in experience/outcomes?</p>	<p>No.</p>
<p>2.4 What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?</p>	<p>Internal consultations were made with the following departments during the development of the AQAP and the EIA:</p> <ul style="list-style-type: none"> • Climate and Engagement • Energy Transformation • Planning & Conservation • Planning Policy • Traffic Management and Network • Active Travel • Green Infrastructure & Nature Recovery • Transport Development & Policy • Parking Services

	<ul style="list-style-type: none"> • Public Health & Prevention • Liveable Neighbourhoods • Head of Service – Community and Compliance • Environmental Protection and Licensing Manager • Head of Highways Delivery • CAZ Service Manager • Legal Services & Monitoring Officer • S151 Officer • Finance Officer • Equalities Officer <p>This AQAP has been signed off by the Director of Public Health & Prevention</p> <p>In line with our requirements under the 1995 Environment Act, the Department for Environment, Food and Rural Affairs have been consulted and have approved the AQAP.</p>
<p>2.5 If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?</p>	<p>There will be a public engagement period where residents and stakeholders will be informed of the update to the Air Quality Action Plan. They will be asked for their comments on the plan and for any suggestions of further measures which could be incorporated.</p> <p>The engagement will be uploaded onto the B&NES website and hard copies will be available to view within the local library and One Stop Shop in Bath. Environmental Monitoring Team would be willing to meet stakeholders in person and/or provide written copies by service user making a written request to the EM team - Environmental_Monitoring@BATHNES.GOV.UK or via calling 01225 396622 or via a letter.</p> <p>In line with our requirements under the 1995 Environment Act, the Department for Environment, Food and Rural Affairs have been consulted and have approved the AQAP.</p> <p>Additionally, and under the requirements of Schedule 11 of the 1995 Environment Act, B&NES will also consult the statutory consultees including the West of England Combined Authority, Highways England, and the local Highways Authority.</p>

Internally, Finance and Legal Departments have been consulted on this AQAP, as well as the Equalities Team.

3. Assessment of impact: ‘Equality analysis’

Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:

- Meets any particular needs of equalities groups or could help promote equality in some way.
- Could have a negative or adverse impact for any of the equalities groups

Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<p>3.1 Issues relating to all groups and protected characteristics</p>	<p>The Council’s approach to air pollution is to identify and remove unacceptable risks to human health and the environment, and to ensure that the cost burdens are proportionate, manageable, and economically sustainable.</p> <p>The AQAP sets out measures to continue to reduce NO₂ concentrations across Bath therefore improving air quality for everyone. The aim is to protect and improve the health of all residents equally.</p>	<p>The AQAP aims to continue to reduce NO₂ concentrations beyond the air quality objective. When 3 consecutive years of annual concentrations below 36 µg/m³ have been achieved the Council will seek to revoke the AQMA.</p> <p>The NO₂ concentrations will continue to be monitored and no adverse health impact is anticipated for anyone with or without a protected characteristic.</p>

	The AQAP has been developed following Technical Guidance https://laqm.defra.gov.uk/air-quality/featured/uk-regions-exc-london-technical-guidance/	
3.2 Sex – identify the impact/potential impact of the policy on women and men.	There is no evidence to suggest that the AQAP would have a differential potential impact on this protected characteristic.	This plan has no known negative or adverse impacts on this protected characteristic
3.3 Pregnancy and maternity	Emerging evidence suggests that air pollution can affect the growth of the unborn baby and may be linked to premature birth (Impact of London's road traffic air and noise pollution on birth weight: retrospective population-based cohort study, British Medical Journal 2017.) (RCPCH and RCP Report Every Breath We Take). Therefore, the reduction in nitrogen dioxide levels should have a positive impact on people within this protected characteristic group.	This plan has no known negative or adverse impacts on this protected characteristic
3.4 Gender reassignment – identify the impact/potential impact of the policy on transgender people	There is no evidence to suggest that the AQAP would have a differential potential impact on this protected characteristic.	This plan has no known negative or adverse impacts on this protected characteristic
3.5 Disability – identify the impact/potential impact of the policy on disabled people (ensure consideration both physical, sensory and mental impairments and mental health)	Some disabled people have chronic conditions which can be made worse by air pollution. Air pollution is recognised as a contributing factor in the onset of heart disease and cancer and can cause	This plan has no known negative or adverse impacts on this protected characteristic

	<p>a range of health impacts, including effects on lung function, exacerbation of asthma, increases in hospital admissions and mortality.</p> <p>Reducing nitrogen dioxide concentrations should therefore have a beneficial impact on disabled people.</p>	
3.6 Age – identify the impact/potential impact of the policy on different age groups	<p>Air pollution has a greater adverse effect on both the older and younger people.</p> <p>Reducing nitrogen dioxide concentrations should therefore have a beneficial impact on all ages.</p>	This plan has no known negative or adverse impacts on this protected characteristic
3.7 Race – identify the impact/potential impact on across different ethnic groups	There is no evidence to suggest that the AQAP would have a differential potential impact on this protected characteristic.	This plan has no known negative or adverse impacts on this protected characteristic
3.8 Sexual orientation – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual people	There is no evidence to suggest that the AQAP would have a differential potential impact on this protected characteristic.	This plan has no known negative or adverse impacts on this protected characteristic
3.9 Marriage and civil partnership – does the policy/strategy treat married and civil partnered people equally?	There is no evidence to suggest that the AQAP would have a differential potential impact on this protected characteristic.	This plan has no known negative or adverse impacts on this protected characteristic
3.10 Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.	There is no evidence to suggest that the AQAP would have a differential potential impact on this protected characteristic.	This plan has no known negative or adverse impacts on this protected characteristic

<p>3.11 Socio-economically disadvantaged* – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances (This is not a legal requirement, but is a local priority).</p>	<p>The adverse impacts of poor air quality have a particular effect in the socio-economically disadvantaged as data informs us that areas of deprivation tend to have higher pollution.</p> <p>Air Quality and Social Deprivation in the UK: an environmental inequalities analysis (June 2006)</p> <p>Therefore, the reduction in nitrogen dioxide levels should have a positive impact on people within this protective characteristic group.</p>	<p>This plan has no known negative or adverse impacts on this protected characteristic</p>
<p>3.12 Rural communities* identify the impact / potential impact on people living in rural communities</p>	<p>This AQAP relates to air pollution within the Bath district and therefore there is no evidence to say that this plan would have a differential potential impact on this characteristic.</p>	<p>This plan has no known negative or adverse impacts on this protected characteristic</p>
<p>3.13-Armed Forces Community ** serving members; reservists; veterans and their families, including the bereaved. Public services are required by law to pay due regard to the Armed Forces Community when developing policy, procedures and making decisions, particularly in the areas of public housing, education, and healthcare (to remove disadvantage and consider special provision).</p>	<p>There is no evidence to suggest that the AQAP would have a differential potential impact on this protected characteristic.</p>	<p>This plan has no known negative or adverse impacts on this protected characteristic</p>

*There is no requirement within the public sector duty of the Equality Act to consider groups who may be disadvantaged due to socio economic status, or because of living in a rural area. However, these are significant issues within B&NES and have therefore been included here.

** The Equality Act does not cover armed forces community. However, the Armed Forces Bill (which came in on 22 Nov 2022) introduces a requirement to pay 'due regard' to make sure the Armed Forces Community are not disadvantaged when accessing public services.

4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment/analysis. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when
Providing the engagement in an accessible format	<p>The engagement will be uploaded onto the B&NES website and hard copies will also be available to view within the local library and One Stop Shop in Bath. The Environmental Monitoring Team would be willing to meet stakeholders in person and/or provide written copies on request.</p> <p>Notices to be located in public areas e.g. libraries, notice boards, local newsletters etc. and copies to be sent to Cllrs</p>	<p>Check that hard copies are available notices are in place before engagement commences.</p> <p>Review response to question in engagement on how they found out/accessed the information about the engagement</p>	Michelle Tett	October and December 2024

	and residents associations for circulation. Attend community engagement session within Bath.			
Internal stakeholder meeting	Run an internal stakeholder meeting to ensure other teams are aware of the update to the AQAP and allow them to provide further comments.	Plan updated to include any responses or actions raised in the meeting.	Michelle Tett	December 2024

5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

Signed off by: Chris Major
Date: 23/10/24

(Divisional Director or nominated senior officer)