

Section 7

Screening for Equality Impact Assessment, Human Rights Implications and Rural Proofing.

SCREENING FOR EQUALITY IMPACT ASSESSMENT

Northern Ireland Act 1998 (Section 75) – Statutory Equality Obligations

CONSULTATION ON NORTHERN IRELAND ENVIRONMENTAL NOISE DIRECTIVE ACTION PLAN AND COMPETENT AUTHORITY NOISE ACTION PLAN GUIDANCE.

1. Introduction

Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions relating to Northern Ireland to have due regard to the need to promote equality of opportunity between:

- Persons of different religious beliefs.
- Persons of different political opinions.
- Persons of different racial groups.
- Persons of different ages.
- Persons of different marital status.
- Persons of different sexual orientation.
- Men and women generally.
- Persons with a disability and persons without.
- Persons with dependants and persons without.

To satisfy this requirement, government departments carry out Equality Impact Assessments of policies and legislation to test whether they could have an adverse impact on equality of opportunity between any of the nine groups listed above. While it is acknowledged that Section 75 puts a duty on public authorities to look at all its policy areas and not just those relating to equality issues, it is accepted that not all policies need to be assessed to the same extent. Screening aims to identify those policies that are likely to have the greatest impact on equality of opportunity and therefore should be subject to a full Equality Impact Assessment.

2 Aims of the Scheme

The European Parliament and Council Directive for Assessment and Management of Environmental Noise 2002/49/EC, more commonly referred to as the Environmental Noise Directive (END), was published in the Official

Journal of the European Union in July 2002. The Directive deals with noise from roads, rail, air traffic, and from agglomerations.

The aim of the Directive is to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. The three main objectives of END are:

- to determine exposure to environmental noise through noise mapping;
- to ensure information on environmental noise and its effects is made available to the public; and
- to adopt Action Plans based upon the mapping results, to prevent and reduce environmental noise where necessary, where exposure levels can induce harmful effects on human health and to preserve environmental noise quality where it is good.

The purpose of the Action Plan is to describe how designated Competent Authorities under the Environmental Noise Regulations (Northern Ireland) 2006, propose to deliver their obligations under END. This directive deals with noise from road, rail, and air traffic, and from agglomerations. It focuses on the impact of such noise on individuals, complementing existing EU legislation, which sets standards for noise emissions from specific sources.

The Noise Action Plan Guidance is designed to provide guidance to Competent Authorities in setting out the proposed mechanisms and arrangements for the development of Action Plans.

3 Screening Analysis

3.1 Is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories?

YES	<input type="checkbox"/>
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NO	<input checked="" type="checkbox"/>
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3.2 Is there any evidence that particular groups have different needs, experiences, issues and priorities in relation to the particular main policy area?

YES	<input type="checkbox"/>
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NO	<input checked="" type="checkbox"/>
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3.3 The proposed Action Plan aims to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. It focuses on the impact of such noise on individuals, complementing existing EU legislation, which sets standards for noise emissions from specific sources.

3.4 Is there an opportunity to better promote equality of opportunity or good relations by altering policy or working with others in Government or the community at large?

YES	
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NO	✓
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3.5 Have consultations in the past with relevant groups, organisations or individuals indicated that particular policies create problems which are specific to them?

YES	
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NO	✓
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4 Equality Impact Assessment Decision

4.1 Full Equality Impact Assessment procedure is confined to those policies considered likely to have significant implications for equality of opportunity. As a result of the screening analysis in Section 4, it is considered that there will be no significant implications for equality of opportunity arising from the Northern Ireland Environmental Noise Directive Action Plan and Action Plan Guidance. The plan and guidance does not, therefore, need to be submitted for a full Equality Impact Assessment.

HUMAN RIGHTS ACT 1998

CONSULTATION ON NORTHERN IRELAND ENVIRONMENTAL NOISE DIRECTIVE ACTION PLAN AND COMPETENT AUTHORITY NOISE ACTION PLAN GUIDANCE.

1. Introduction:

The purpose of this paper is to review the Human Rights implications of the proposed consultation on Northern Ireland's Environmental Noise Directive Action Plan and Action Plan guidance.

The European Parliament and Council Directive for Assessment and Management of Environmental Noise 2002/49/EC, more commonly referred to as the Environmental Noise Directive (END), was published in the Official Journal of the European Union in July 2002. The Directive deals with noise from roads, rail, air traffic, and from agglomerations.

The aim of the Directive is to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. The three main objectives of END are:

- To determine exposure to environmental noise through noise mapping;
- To ensure information on environmental noise and its effects is made available to the public; and
- To adopt Action Plans based upon the mapping results, to prevent and reduce environmental noise where necessary, where exposure levels can induce harmful effects on human health and to preserve environmental noise quality where it is good.

2 Human Rights Assessment

The purpose of the Action Plan is to describe how designated Competent Authorities under the Environmental Noise Regulations (Northern Ireland) 2006, propose to deliver their obligations under END. It will focus on the impact of noise. The purpose of the Action Plan is to describe how designated Competent Authorities under the Environmental Noise Regulations (Northern Ireland) 2006, propose to deliver their obligations under END. Noise Action Plans will deal with noise from road, rail, and air traffic, and from agglomerations. It focuses on the impact of such noise on individuals, complementing existing EU legislation, which sets standards for noise emissions from specific sources. The Department considers that its proposals are fully compliant with the European Convention on Human Rights.

Rurality

significant not significant uncertain

1. **Few service outlets:** there are generally fewer outlets serving rural people or business. How will the proposed rural benefits of a policy have reasonable access to it? Does policy delivery depend upon outlets, which are sparse in many rural areas?

<input type="checkbox"/>	X	<input type="checkbox"/>
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2. **Higher service delivery costs:** rural distances plus small and dispersed populations can make it more difficult and costly to provide services to rural clients. What will the (unit) costs be for service providers in reaching rural clients? Are there lost economies of scale from smaller rural service outlets?

<input type="checkbox"/>	X	<input type="checkbox"/>
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3. **Greater travel needs:** on average rural people and businesses travel further to reach jobs, facilities, clients and other opportunities. What will the policy effects be upon travel needs, time and costs for rural businesses or people (especially those on low incomes or without easy access to a car or public transport)?

<input type="checkbox"/>	X	<input type="checkbox"/>
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4. **Few information points:** rural areas contain fewer (formal) places to obtain advice and information e.g. libraries, Citizens Advice Bureaux, public Internet points. If the policy's successful delivery requires communication with clients, how will those in rural areas have ready access to information and advice?

<input type="checkbox"/>	X	<input type="checkbox"/>
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Rural economies

significant not significant uncertain

5. **Small (economic) markets:** the market in rural areas is often small or scattered, making it less attractive and possibly unviable for commercial operators. If a policy or initiative is to be delivered commercially, how will rural communities be served and / or how could they be benefit from expected competition amongst providers?

<input type="checkbox"/>	X	<input type="checkbox"/>
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6. **Weak infrastructure:** transport and telecommunications infrastructures are generally less developed in rural areas, especially remoter areas. If a fast or high-capacity infrastructure (including "broadband" telecommunications) will play a significant part in implementing the policy or initiative, how will it be delivered in rural areas?

<input type="checkbox"/>	X	<input type="checkbox"/>
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7. **Small firm economy:** more businesses are micro-businesses in rural areas and there are few medium-sized or large firms. Will a policy or initiative target and be of benefit to, small (as well as larger) businesses?

<input type="checkbox"/>	X	<input type="checkbox"/>
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8. Land-based industries: land-based industries (e.g. agriculture, forestry, fishing and extraction / mining) have an important impact on the rural landscape, environment and biodiversity, and remain significant employers in certain rural areas (despite being a fairly small element of the overall rural economic base). Will a policy have any particular impacts on land-based industries and, therefore, on rural economies and environments?

<input type="checkbox"/>	X	<input type="checkbox"/>
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Rural Communities

9. Needs not concentrated: rural disadvantage and social exclusion does not exist in the types of concentrations found on urban housing estates or in inner city neighbourhoods. It is generally scattered and, in wealthier parts of the countryside, exists side by side with affluence. Will a policy, especially area-based initiatives, be targeted solely at (neighbourhood) concentrations of disadvantage? Will it tackle rural disadvantage?

	not significant	uncertain
<input type="checkbox"/>	X	<input type="checkbox"/>

10. Different types of need: the mix of deprivation characteristics is somewhat different between rural and urban areas. Poor access to services, low local wages, limited job opportunities and a lack of affordable housing are key rural issues. What needs or deprivation indicators will be used to target an initiative: will they reflect both rural and urban concerns?

<input type="checkbox"/>	X	<input type="checkbox"/>
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11. Low institutional capacity: private, public and voluntary sector bodies in rural areas tend to be smaller and often struggle to forge partnerships or submit bids, especially to tight timescales. If a policy or initiative depends upon local institutions, how will it allow for areas with low institutional capacity?

<input type="checkbox"/>	X	<input type="checkbox"/>
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Rural environment

12. Few sites for development: rural areas have few brownfield sites and there are relatively few locations where housing or other development may be acceptable. Does a policy depend upon new building or development sites? Where will these be located?

significant	not significant	uncertain
<input type="checkbox"/>	X	<input type="checkbox"/>

13. Landscape quality and character: our rural landscapes are highly valued for their beauty and distinctiveness. What will be the likely policy impact upon the quality and distinctive character of natural and built rural landscapes, especially (but not only) on protected landscapes and on biodiversity (which should be fully assessed under the Green Minister's checklist)?

<input type="checkbox"/>	X	<input type="checkbox"/>
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14. **Countryside amenity and access:** the countryside provides important recreational opportunities and a place to get away from it all for people wherever they live. What will be the impact of the policy or initiative for people wishing to reach and use the countryside as a place for recreation and enjoyment?

<input type="checkbox"/>	X	<input type="checkbox"/>
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