

## Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther, Equality and Anti-Poverty Officer at [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) or phone 01223 457046.

Once you have drafted the EqIA please send this to [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, ([graham.saint@cambridge.gov.uk](mailto:graham.saint@cambridge.gov.uk) or 01223 457044).

<b>1. Title of strategy, policy, plan, project, contract or major change to your service</b>
<b>CAMBRIDGE CITY SMOKE CONTROL AREAS, (SCA's), ENFORCEMENT &amp; FEE POLICY</b>

<b>2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)</b>
Click here to enter text.

<b>3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?</b>
There is enforcement action local authorities can take in smoke control areas, (SCA's), under Schedule 1A of the Clean Air Act 1993 (as amended by the Environment Act 2021).  Cambridge has three SCA's covering the west and centre of the city. These SCA's were designated in the 1960's following implementation of early clean air legislation that was

brought in by the government in England owing to health concerns for citizens linked to the London Smog of 1952.

The enactment of the Clean Air Act 1993 (as amended by the Environment Act 2021) means that only authorised fuels should be burnt in association with chimneys of any buildings in these areas who have a smoke producing appliance. Alternatively, they should use a Defra approved appliance this is known as an 'exempt appliance'. Details of authorised fuels and exempt appliances in England can be found on the [Department of Environment, Food & Rural Affairs](#), (Defra), website.

Now when smoke is emitted from a chimney in an SCA, the Council can issue a financial penalty, ranging from £175 up to a maximum of £300 per notice, to the person responsible where they are found not to be following the above requirements.

Government guidance references the need for local authorities to develop and document their own policy including in relation to how much they will charge those responsible for smoke emissions in SCA's.

The above has created a need for an encompassing policy setting out how the Council will carry out its statutory responsibilities in relation to this including enforcement of the legislative requirements and fee setting for issue of financial penalties which local authorities have discretion to document and determine.

#### 4. Responsible service

Communities

#### 5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service?

(Please tick all that apply)

- Residents
- Visitors
- Staff

Residents and business owners within the city who are responsible for buildings with active chimneys from which smoke can be emitted within the 3 existing smoke control areas, (SCA's).

#### 6. What type of strategy, policy, plan, project, contract or major change to your service is this?

- New
- Major change
- Minor change

**7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)**

- Yes  
 No

N/A

[Click here to enter text.](#)

**8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?**

Non-Key agenda item at Environment & Community Scrutiny Committee on 5<sup>th</sup> October 2023.

**9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?**

Reference to relevant government guidance including:

[Smoke control area enforcement by local authorities in England - GOV.UK \(www.gov.uk\)](#)

The Council's 'Our Vision' - [Our vision - Cambridge City Council](#)

Impact of improving air quality for different groups in general: [Health matters: air pollution - GOV.UK \(www.gov.uk\)](#)

## **10. Potential impacts**

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

**(a) Age - Please also consider any safeguarding issues for children and adults at risk**

There is no specific impact from the Council's own policy specifically regarding age. However, improving air quality can especially benefit older people and children and can reduce low birthweight in babies. Air pollution can cause asthma, slow development of lung function, development problems, wheezing and coughs and start of atherosclerosis in children. In older people it can cause asthma, accelerated decline in lung function, lung cancer, diabetes, dementia, and heart attack/heart failure/strokes.

**(b) Disability**

There is no specific impact from this policy regarding disability. The policy encompasses enforcement of smoke control rules which in turn ensure improved air quality for residents and visitors to the city. However generally improving air quality can help prevent several long -term health issues and prevent exacerbation of existing health issues like asthma, coronary heart disease, stroke, lung cancer, chronic bronchitis, and diabetes.

In line with our Corporate Enforcement Policy the Council will informally assist any relevant person(s) who need to comply with smoke control rules to do so and can offer additional support where necessary in relation to seeking compliance e.g., an appointment to meet with case officer who can support face to face / over the telephone with completion of the application. BSL interpretation/Braille translation Provision of documents in accessible / easy read formats etc.

**(c) Gender reassignment**

There is no specific impact from this policy for people with the protected characteristic of gender reassignment.

**(d) Marriage and civil partnership**

There is no specific impact from this policy regarding marriage and civil partnership.

**(e) Pregnancy and maternity**

There are no specific impacts to pregnancy and maternity have been identified in relation to this policy. The policy encompasses enforcement of smoke control rules which in turn ensure improved air quality for residents and visitors to the city, which can help reduce low birth weight.

**(f) Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.**

There is no specific impact from this policy regarding race.

In line with our Corporate Enforcement Policy the Council will informally assist any relevant person(s) who need to comply with smoke control rules to do so and can offer additional support where necessary in relation to seeking compliance e.g., an appointment to meet with case officer who can support face to face / over the telephone with completion of the application. Provision of documents in alternative languages and using interpreters when required.

**(g) Religion or belief**

No impacts specific to religion or belief have been identified in relation to this policy.

**(h) Sex**

No impacts specific to men or women have been identified in relation to this policy.

**(i) Sexual orientation**

No impacts specific to an individual’s sexual orientation have been identified in relation to this policy.

j. **Other factors that may lead to inequality – in particular, please consider the impact of any changes on:**

- **Low-income groups or those experiencing the impacts of poverty**
- **Groups who have more than one protected characteristic that taken together create overlapping and interdependent systems of discrimination or disadvantage. (Here you are being asked to consider intersectionality, and for more information see: [https://media.ed.ac.uk/media/1\\_159kt25q](https://media.ed.ac.uk/media/1_159kt25q)).**

**Low-income groups or those experiencing the impacts of poverty:**

Improved air quality can:

- Improve health outcomes in terms of associated health conditions and exacerbation of pre-existing health conditions e.g. asthma.
- Increase in wellbeing from living in communities with good air quality.

Those on whom fines are imposed will have the opportunity to make written representation regarding the Council's intention to issue them with a financial penalty including in relation to the penalty itself and their ability to pay this, such representations will be considered on a case-by-case basis. Also, there is ultimately a right of appeal to the First Tier Tribunal, (Property Chamber), in relation to a financial penalty that can be exercised.

**Groups who have more than one protected characteristic that taken together create overlapping and interdependent systems of discrimination or disadvantage:**

No impacts specific to such groups with more than one protected characteristic.

**11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqIA accordingly.)**

Review policy annually, (there will be a review of the fee setting annually as part of the Councils wider budget setting process) / the policy will be reviewed further as necessary in between annual reviews in-line with any further legislative additions / amendments.

## 12. Do you have any additional comments?

The Cambridge City Smoke Control Areas, (SCA's), Enforcement & Fees Policy aims to help the council meet our vision of Cambridge as a united city "Fair for All", a "great place to live" and "which protects it's most vulnerable" as it protects people who are vulnerable to ill health from air pollution.

Residents and visitors to the City could be positively impacted by this policy which will assist the Council to ensure better air quality with associated increased wellbeing and health outcomes.

In line with our Corporate Enforcement Policy the Council will informally assist any relevant person(s) who need to comply with smoke control rules to do so and can offer additional support where necessary in relation to seeking compliance e.g., an appointment to meet with case officer who can support face to face / over the telephone. Provision of documents in accessible / easy read formats etc.

## 13. Sign off

Name and job title of lead officer for this equality impact assessment: Claire Adelizzi  
Residential Team Manager

Names and job titles of other assessment team members and people consulted: Helen  
Crowther, Equality & Anti-Poverty Officer

Date of EqIA sign off: 18.09.2023

Date of next review of the equalities impact assessment: October 2024

Date to be published on Cambridge City Council website: October 2023

**All EqIAs need to be sent to Helen Crowther, Equality and Anti-Poverty Officer. Ctrl + click on the button below to send this (you will need to attach the form to the email):**

[Send form](#)