

Appendix 1 – Initial Impact Assessment of the Approach to Nutrient Neutrality and delivery of Middlesbrough Council housing schemes

Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Approach to Nutrient Neutrality and delivery of Middlesbrough Council housing schemes			
Coverage:	Crosscutting			
This is a decision relating to:	<input checked="" type="checkbox"/> Strategy	<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input checked="" type="checkbox"/>	Revision of an existing approach:	<input type="checkbox"/>
It is driven by:	Legislation:	<input checked="" type="checkbox"/>	Local or corporate requirements:	<input type="checkbox"/>
Description:	<p>Key aims, objectives and activities</p> <p>To assess the impact of the Approach to Nutrient Neutrality and delivery of Middlesbrough Council housing schemes.</p> <p>Statutory drivers</p> <p>The Conservation of Habitats and Species Regulations 2017 offer protection to designated European habitat sites, including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar Site. The Council, in its role as the ‘Competent Authority’, has a statutory duty to ensure that new development proposals accord with this legislation. Therefore, it must not allow development proposals to proceed if they are likely to have a significant effect on the SPA. Statutory advice issued by Natural England means that certain developments, which could lead to an increase in the level of nitrogen in the River Tees, cannot proceed without achieving Nutrient Neutrality. This report sets out the Council’s response to this legislation and advice, and its approach to using agricultural land holdings to support housing delivery.</p> <p>Differences from any previous approach</p> <p>The statutory advice issued by Natural England means that any planning applications determined after 16th March 2022 for certain types of development involving people staying overnight, such as housing and hotels, can only be approved where there is appropriate mitigation in place to achieve nutrient neutrality.</p>			

	<p>Key stakeholders and intended beneficiaries (internal and external as appropriate)</p> <p>The key stakeholders are: the Council; Natural England; Local Community; and Private Landowners.</p> <p>Intended outcomes.</p> <p>To seek approval of the Approach to Nutrient Neutrality and delivery of Middlesbrough Council housing schemes.</p>			
Live date:	The Executive will consider the report seeking approval for the Approach to Nutrient Neutrality and delivery of Middlesbrough Council housing schemes on 20 th June 2023.			
Lifespan:	Once the decision is made the approach will be implemented immediately, and will remain in place in perpetuity, or until an alternative approach to achieving nutrient neutrality is put in place.			
Date of next review:	Not applicable			
Screening questions	Response			Evidence
	No	Yes	Uncertain	
<p>Human Rights</p> <p>Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?</p>	☒	☐	☐	<p>The report seeks to implement an approach that it consistent with the legislation, and national and local policies, that comply with Human Rights legislation.</p> <p>It is, therefore, considered that the report will not have an adverse impact on individual human rights.</p>
<p>Equality</p> <p>Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*</p>	☒	☐	☐	<p>The report seeks to implement an approach that it consistent with the legislation, and national and local policies, that comply with Equality legislation.</p> <p>In light of the above, it is not considered that the report will have an adverse impact on different groups or individuals in terms of equality.</p>

<p>Community cohesion</p> <p>Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The report seeks to implement an approach that is consistent with the legislation, and national and local policies.</p> <p>In light of the above, it is not considered that the report will impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town.</p>
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Next steps:

- ➡ If the answer to all of the above screening questions is No then the process is completed.
- ➡ If the answer to any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed.

Assessment completed by:	Alex Conti	Head of Service:	Paul Clarke
Date:	22/05/23	Date:	22/05/23