

HERTFORDSHIRE COUNTY COUNCIL

**PUBLIC HEALTH AND PREVENTION CABINET PANEL
WEDNESDAY, 18 SEPTEMBER 2019 AT 10:00AM**

**HERTFORDSHIRE COUNTY COUNCIL'S HEALTH IMPACT ASSESSMENT
POSITION STATEMENT**

Report of the Director of Public Health

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1. Purpose of report

- 1.1 The purpose of this report is to:-
- Inform Panel of the Director of Public Health's view that the County Council should make clear its position on planning-related Health Impact Assessment (HIA), given the level of growth and development anticipated within Hertfordshire over the next 10 years;
 - Inform Panel on the discussions across the Environment and Public Health Directorates, in consultation with the Executive Member for Public Health and the Executive Member for Growth, Infrastructure and Planning regarding the use of HIA's;
 - Present a draft HIA Position Statement and supporting guidance, developed in collaboration between officers within Public Health and Environment.

2. Summary

- 2.1 A HIA differs from an Environmental Impact Assessment (EIA). The former is an assessment of the possible impact of a programme or project on the natural environment. EIA, which is the subject of European Union legislation, ensures that decision makers consider any possible environmental impacts prior to deciding whether to proceed with a project.

- 2.2 A HIA is a means of evidence-based policy making for improvement in health. It is a combination of methods whose aim is to assess the health consequences to a population of a policy, project or programme that does not necessarily have health as its primary objective, and assesses how developments, policies and projects could affect health.
- 2.3 HIA's seek to produce a set of evidence-based practical recommendations that will inform decision-makers on how best they can promote and protect the health and wellbeing of local communities.
- 2.4 There is no legal or statutory framework in England specifically for standalone HIA, however under the Town and Country planning (Environmental Impact Assessment) Regulations 2017 there is a requirement to consider the health impacts which may arise from a development. Undertaking a Health Impact Assessment is the appropriate mechanism for assessing these health impacts.
- 2.5 Working with Spatial Planning colleagues within the Environment Directorate, and in consultation with Public Health England and neighbouring local authorities, Public Health has developed a Hertfordshire County Council HIA Position Statement. This forms part of a wider resource under development to include HIA guidance and training for countywide planning colleagues and developers.

3. Recommendation/s

3.1 Panel is asked to:-

- Note and comment upon the content of this Report
- Note the Director of Public Health's view that the County Council should make clear its position on planning-related HIA's, given the level of growth and development anticipated within Hertfordshire over the next 10 years.

4. Background

- 4.1 It is widely accepted that the health of a population is determined by a range of factors and that the greatest scope for improving the public's health lies outside the control of the NHS. Health Impact Assessments are a method to identify those activities and policies likely to have major impacts on the health of a population.
- 4.2 The undertaking of a HIA is a multidisciplinary process within which a range of evidence about health effects of a proposal is considered in a

structured framework. It seeks to identify the positive opportunities for health from a proposal as well as highlighting potential negative impacts that need mitigation; overall its purpose is to avoid any unintended consequences of a proposal for the health of a given population.

- 4.3 The County Council, in its role as the Public Health Authority, now seeks HIA's for major housing developments (determined by the district and borough councils), minerals and waste proposals (determined by the County Council) and National Strategic Infrastructure Projects (NSIPs) (e.g. High Speed 2, airport expansion proposals).
- 4.4 One of the key challenges officers face in seeking HIA's – apart from the absence of a legislative framework – is the lack of a nationally adopted, consistent approach to these assessments. Over the last 12 months the Public Health Directorate has been concerned to ensure it can establish consistency and quality on HIA's within Hertfordshire.
- 4.5 Whilst HIA's cannot be required, by formally adopting a position statement on HIA's, the County Council can encourage the submission of HIA's for relevant planning applications (as per guidance set out in Appendix 1) and make the content of a HIA something that should be taken into account in deciding a planning application.
- 4.6 The longer-term aim is to ensure HIA's become part of our adopted Planning Policy. For a planning 'Policy' to be established and adopted by the County Council it must follow a prescribed process of drafting, appraisal, public consultation and independent scrutiny.
- 4.7 This process is being followed by the County Council with its emerging Minerals and Waste Local Plans and wording is being developed to incorporate HIA's.
- 4.8 In due course the Director of Public Health also aims to work with Hertfordshire's Local Planning Authorities (i.e. the district and borough councils) to incorporate HIA's within local plan policy.
- 4.9 Working with Spatial Planning colleagues, and in consultation with Public Health England and neighbouring local authorities, Public Health has developed a Hertfordshire County Council Health Impact Assessment Position Statement. This forms part of a wider resource under development to include HIA guidance and training for countywide planning colleagues and developers.

4.10 In addition officers are seeking further comment through a number of internal groups, including the Plans Management Group and Corporate Growth Group and Transport Planning Board.

4.11 The draft HIA Position Statement is included as Annex 1. If approved, the intention is for these to be made available on the County Council's Healthy Places webpage¹, and the position statement to be implemented.

5. Outcome(s) to be achieved

5.1 The benefits to be derived from this work are:

- Clear direction to Members, Local Planning Authorities, developers and the wider public on the County Council's position on HIA's; their content and when they are required.
- Supporting emerging HIA policy development through local plan processes.
- Improved, consistent assessment of health and wellbeing in growth and development, contributing to healthy place-shaping across the county.

6. Equalities implications

6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the Equality implications of the decision that they are making.

6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the county council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

6.3 The Equality Act 2010 requires the county council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership;

¹ <http://www.legislation.gov.uk/ukxi/2017/571/contents/made>

pregnancy and maternity; race; religion and belief, sex and sexual orientation

- 6.4 A fundamental of HIA is its focus on health inequalities. This is where it most starkly differs from Environmental Impact Assessment. A good HIA should identify negative impacts from development and make proposals to mitigate against them; it should also highlight the positives and opportunities that a development can bring for the local population. As such, this work should lead to a positive impact on Hertfordshire's population including (but not limited to) those with Protected Characteristics under the Equality Act 2010.

7. Financial Context

- 7.1 The financial cost to undertake any Health Impact Assessments will be expected to be met by the developer / planning applicant. Where Hertfordshire County Council is the developer / planning applicant, the relevant Department should meet the cost of undertaking the HIA. Costs are anticipated to be similar to other externally commissioned consultancy services for work of this nature
- 7.2 In line with current practice, it is not expected that the Public Health Department will directly conduct HIAs. The costs should be borne by the Developer or Applicant.
- 7.3 Officer time will be required to quality assess the HIAs submitted with planning applications. This will be absorbed within existing officer resource and capacity. Whether or not the County Council can recoup the cost for officer time in doing this will need to be explored by the Public Health department.

Background Information

As per hyperlinks in Appendix 1.

Appendix 1:

Hertfordshire County Council Health Impact Assessment Position Statement

Position Statement: Health Impact Assessments (HIA's)

This position statement outlines Hertfordshire County Council's stance on Health Impact Assessments (HIA's) in relation to planning. It has been produced by Hertfordshire Public Health and the Spatial Planning Unit.

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1. Background

1.1 Definitions: HIA, health and health impact

A **health impact assessment** is defined as:

“A combination of procedures, methods and tools by which a policy, programme or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population”
(World Health Organization, 2018a).

The World Health Organization (WHO) defines **health** as:

“A state of complete physical, mental, and social wellbeing and not merely the absence of disease or infirmity”
(World Health Organization, 2018b).

Health impact is defined as:

“A health impact can be positive or negative. A positive health impact is an effect which contributes to good health or to improving health. For example, having a sense of control over one’s life and having choices is known to have a beneficial effect on mental health and wellbeing, making people feel “healthier”. A negative health impact has the opposite effect, causing or contributing to ill health. For example, working in unhygienic or unsafe conditions or spending a lot of time in an area with poor air quality is likely to have an adverse effect on physical health status”
(World Health Organization, 2018c).

1.2 What does a HIA consider?

HIAs consider how the population will be affected assessing both positive and negative health impacts. Health inequalities should be a key consideration to ensure they are not increased further by proposed developments (U.K. Department of Health, 2010).

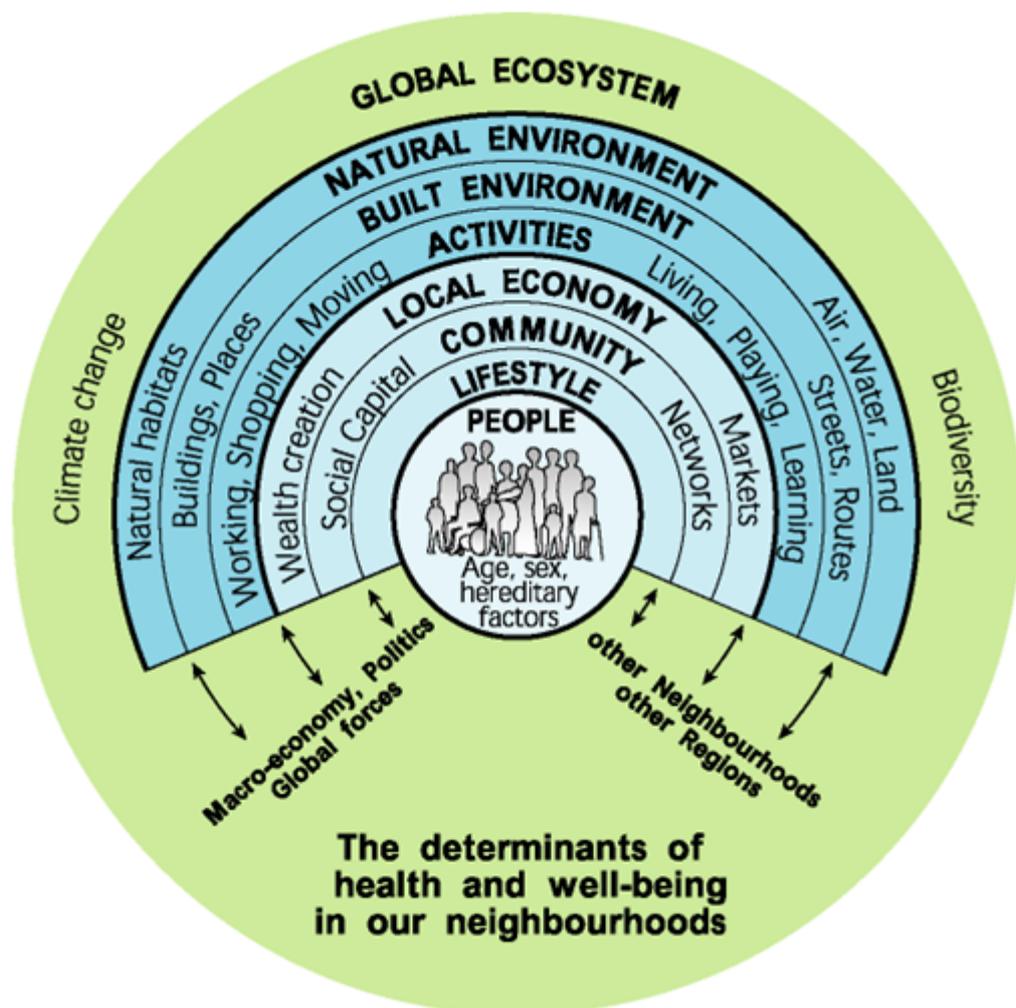
Health inequalities are defined as:

“... the unjust and avoidable differences in people’s health across the population and between specific population groups... Health inequalities go against the principles of social justice because they are avoidable. They do not occur randomly or by chance. They are socially determined by circumstances largely beyond an individual’s control. These circumstances disadvantage people and limit their chance to live longer, healthier lives”
(NHS Health Scotland, 2018).

Population groups who are particularly vulnerable to health inequalities include: children and young people, older adults, people with disabilities, people from lower socio-economic groups and people with long term illnesses (NHS Health Scotland, 2018). See Appendix A for a detailed list of vulnerable population groups.

The health inequalities should be assessed using the social determinants of health (Department of Health, 2010). The adapted version of Whitehead and Dahlgren’s Social determinants of health model, called the “health map” (fig 1) published by Barton and Grant (2006) is recommended for HIAs.

Figure 1. The Health Map – the determinants of health and wellbeing in our neighbourhoods (Source: Barton & Grant, 2006).



Collaboration across multiple sectors is required to optimise health using the health map such as public health, urban designers, planning departments, ecologists, community development organisations and environmental health departments (Barton & Grant, 2006). This was the intention of Barton and

Grant (2006) when it was developed. A good health and wellbeing determinants checklist to use in conjunction with Figure 1 is available online².

1.3 What HIAs can and can't do.

A HIA will follow a staged process (see section 3.2) to identify the **potential positive and negative health impacts** of developments. They don't only focus on negative impacts. By following each stage of the methodology, a clear brief will be produced from the screening and scoping stages to determine the type of HIA that will be undertaken, i.e. rapid or in-depth. They assess the health impacts at different stages of the proposed developments (i.e. construction phase, operational phase / occupation, and decommissioning – where applicable).

The size of the HIA should be proportionate to the scale, type and location of the proposed development.

HIAs do not undertake clinical trials. They use primary research (e.g. surveys, focus groups and interviews) and secondary research (e.g. desk research using existing data). The extent of primary research will be determined as part of the scoping stage.

The HIA written report presents the potential positive and negative health impacts with suggested mitigation measures. They identify population groups that may be more vulnerable to negative health impacts created by certain aspects of the development. The findings from the HIA should be used to inform planning decisions and to make amendments to proposed developments (where reasonable and appropriate).

HIA does not provide a definitive answer on whether planning permission should be granted or an objection made. The findings of the HIA should be used as one component of the decision-making process.

It is essential to use a Quality Assurance framework to assess the validity of the report.

1.4 What's the difference between a HIA and an Environmental Impact Assessment (EIA)?

An Environmental Impact Assessment (EIA) is a process by which information about the environmental effects of a project is collected, both by the developer and from other sources, and taken into account by the planning authority in determining planning applications. The types of project that require EIA are contained in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations").

² https://whiasu.publichealthnetwork.cymru/files/1415/0710/5107/HIA_Tool_Kit_V2_WEB.pdf

The EIA considers the effects of “... *biophysical issues related to environmental hazards, for example, water and air quality*” (Cave, Fothergill, Pyper, Gibson & Saunders, 2017, p.7). The considerations of health impacts can sometimes be very narrow and the wider determinants of health on existing and new populations have not been considered fully as part of the EIA.

A HIA assesses health in a broader sense giving consideration to the wider determinants of health (figure 1) and in particular the effects on vulnerable populations who are more likely to experience health inequalities (Marmot, 2010).

It is therefore important to explore the potential health impacts and benefits of/from a development (such as mineral extraction). Undertaking a HIA may be an appropriate mechanism for assessing these health impacts and benefits.

2. Policy context

In order to achieve sustainable development, the National Planning Policy Framework updated in 2019³ (8 b) defines the social objective of the planning system as follows:

‘to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’ (Ministry of Housing, Communities and Local Government, 2019).

This is supported by the National Planning Practice Guidance which states that local planning authorities should ensure local plans and planning decisions take health into consideration. This includes; “... *health, social and cultural wellbeing and the reduction of health inequalities*”⁴

Following changes to EIA regulations in 2017, all EIAs are required to consider the impact on human health. Because EIA’s are by definition focussed on environmental concerns, they do not consider social/health inequalities, and therefore cannot holistically assess health impact. The EIA regulations are not prescriptive on how impact on human health is assessed, however the Public Health position is that HIA is a tool that can assist development applications in meeting the human health requirements.

³

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁴ <https://www.gov.uk/guidance/health-and-wellbeing>

3. Hertfordshire County Council Position on HIAs

3.1 Thresholds for undertaking HIAs

Guidance is given in this position statement on the thresholds for which a HIA should be sought in relation to different types of development. These have been broken down into the following categories: housing, waste, minerals, non-residential space and national significant infrastructure projects.

These thresholds noted in the following paragraphs are indicative only and the County Council may require a HIA if there are vulnerable populations⁵ within close proximity to the proposed development.

3.1.1 Housing

Proposals for 100 or more residential units. This threshold may be reduced depending on the nature, scale and location of the development.

3.1.2 Waste

Proposals for waste management as follows

- Landfill of waste other than inert waste
- Thermal treatment of waste, or chemical treatment of waste
- Hazardous waste management installations
- Composting of waste over 10,000 tonnes green waste per annum
- Anaerobic digester
- Super household waste recycling centre

The above is not an exhaustive list. As waste management evolves additional types of waste facilities may be added to the above list.

3.1.3 Minerals

- New rail aggregate depots
- New minerals workings where the surface area of the workings is being increased
- Other permanent infrastructure such as coated stone plants or ready-mix plants.

3.1.4 Non-residential space

No threshold set. HIA requirements will be determined by the nature, scale and location of the development. A screening assessment must be undertaken as per the recommendations in section 3.2.

⁵ **Vulnerable populations** are groups and communities at a higher risk for poor health as a result of the barriers they experience to social, economic, political and environmental factors, as well as limitations due to illness or disability.

3.1.5 National Significant Infrastructure Projects (NSIP)

All projects which fall within the NSIP definition, for example, an airport expansion. Where NSIP straddles other counties, HIA's should be cross boundary.

3.2 Methodology for undertaking HIAs

Table 1 sets out the guidance for each stage of the HIA process and includes the recommended toolkits to be adopted. It is essential the HIA considers all stages of the proposed development which includes: construction, operational and decommissioning (if applicable).

As HIA guidance evolves, the recommended methodologies set out in Table 1 may change over time. It is recommended the developer / planning applicant contacts Hertfordshire Public Health & the Local Planning Authority (LPA) prior to commencing work on the HIA to confirm the information set out in Table 1 is still current.

Table 1: Methodology recommendations at each stage of the HIA process

HIA Stage	Recommended Toolkit	Additional Information
Stage 1: Screening	Wales Health Impact Assessment Support Unit (WHIASU) screening toolkit ⁶	Screening stage to be completed even where the development meets the threshold to trigger a HIA. The information at this stage helps to inform scoping.
Stage 2: Scoping	WHIASU scoping toolkit ⁷	Involve Hertfordshire Public Health as one of the stakeholders. The type of HIA required (desktop, rapid or full will be determined at the scoping stage).
Stage 3: Assessment	To be determined by the person / organisation leading the HIA process.	It is recommended the HIA is undertaken by an independent body with previous experience of conducting HIAs.
Stage 4: Reporting / Feedback	Format to be determined by the person / organisation leading the HIA process.	
Stage 5: Monitoring / Management / and	Format to be determined by the local planning	

⁶ <https://whiasu.publichealthnetwork.cymru/en/resources/>

⁷ <https://whiasu.publichealthnetwork.cymru/en/resources/>

evaluation	authority and Hertfordshire Public Health.	
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In order to ensure the completeness and quality of the HIA:

(a) the developer must ensure that the HIA is prepared by competent experts; and

(b) the HIA must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.

3.3 Quality assurance framework to assess HIA's

The majority of HIA's will be assessed using the Wales Health Impact Assessment Support Unit (WHIASU) Quality Assurance Framework⁸. However, the quality assurance framework used could change over time. It is therefore recommended that the developer / planning applicant seeks clarification from Hertfordshire Public Health and the LPA during the scoping stage to ascertain which quality assurance framework will be used to assess their HIA.

4. Further information

Please contact the Hertfordshire Public Health department by email: PublicHealth@hertfordshire.gov.uk

5. References

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