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Chester



Sustainable and Inclusive
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INCLUSIVE ENVIRONMENTS

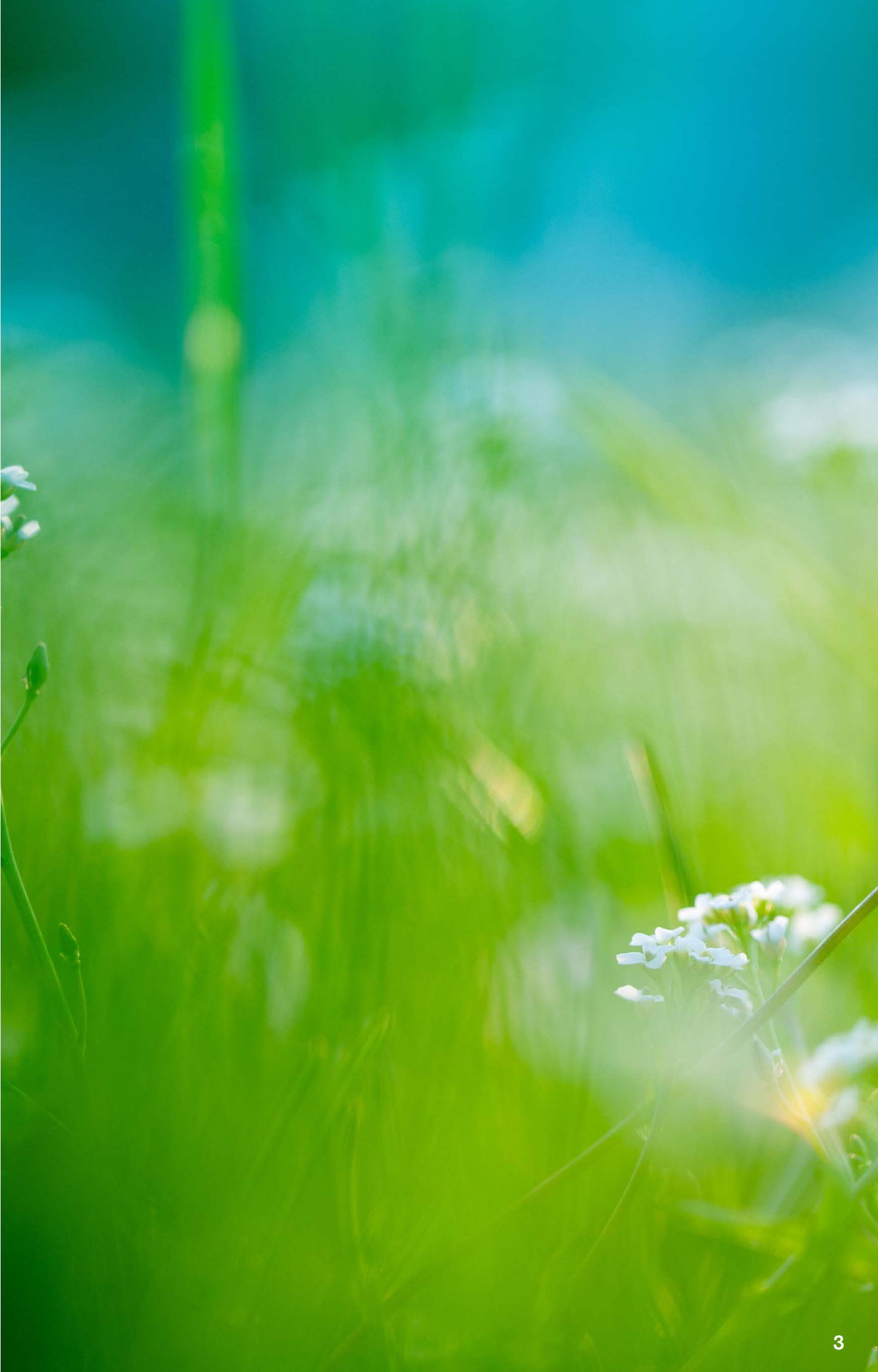
Designing a Framework for
Environmental Justice
(Summary Report)

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About the Authors



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After graduating with a Law degree from Oxford University, Chantal Davies qualified as a solicitor with Eversheds in Cardiff specialising in Employment, Human Rights and Discrimination Law. In 1998, she moved to work as a solicitor for the Equal Opportunities Commission (EOC) in Manchester heading up a department tackling strategic and wider enforcement of the gender equality legislation. Chantal is now Professor of Law, Equality and Diversity in the School of Law and Social Justice at the University of Chester. She has also developed and is Director of the Forum for Research into Equality and Diversity. Past research focuses on the experiences of minority ethnic students within HE and the use of positive action by organisations in the UK. Chantal has also completed a funded project looking at the gendered obstacles to research activity faced by academics in the UK. More recently Chantal has been funded by the Young Women's Trust and the Equality and Human Rights Commission to research the use of positive action in apprenticeships. Chantal has also worked with the Higher Education Authority in Ireland to roll out a groundbreaking positive action initiative aimed at increasing female representation within professorships. She has sat on the board of Cheshire Halton and Warrington Race and Equality Centre and the Equality Challenge Unit and in this latter role worked with them to develop institutional confidence in developing positive action initiatives within higher education. Chantal also sat on the review panel for the national Subject Benchmark Statement for Law. Chantal currently sits on the Sustainable and Inclusive Growth Commission and is Co Vice Chair of the Law Society's Women's Solicitors Network Committee. She also sits on AdvanceHE's Equality Diversity and Inclusion Committee.



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Dr Holly White is the Head of the Social and Political Science Division and is a Senior Lecturer in Criminology at the University of Chester. Holly's primary areas of interest and expertise are public social science, challenging social harm and injustice with a particular focus on poverty, and universities making positive contributions to local communities and region. Holly was a trustee of Cheshire West Voluntary Action with responsibilities for research and strategic partnerships. Holly was also a Board member of the Trussell Trust Changing Minds on Poverty Board, utilising her research and voluntary experience to inform the organisation's national strategy on public sense-making of poverty. Holly holds a PhD in Social Science from Edge Hill University. Holly recently produced 'Principles for Co-Production' which are being piloted by local third sector organisations.



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Dr Kim Ross is a Senior Lecturer in Criminology and Deputy Head of the Social and Political Science Division at the University of Chester. Kim's research interests include public social science, harm reduction and health risk behaviours in addition to the development of creative research methods. Before joining the University of Chester, Kim was a Senior Researcher in the Public Health Institute at Liverpool John Moores University where she specialized in research with vulnerable communities. Kim holds a PhD in Sociology from the University of Liverpool. Kim recently led a research exhibition that was co-produced with research partners from the West Cheshire Poverty Truth Commission which presented research findings that explored the lived experience of poverty to a public audience. Kim also collaborated with Dr White in producing the 'Principles for Co-Production'.



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Dr Eghosa Ekhator is an Associate Professor in law at the University of Derby, United Kingdom. His main research areas include International Environmental Law, African International Legal History, and Natural Resources Governance. Dr Ekhator has published extensively on his research areas and his academic papers have been cited by a plethora of public and international agencies including the United Kingdom Parliament's International Trade Committee and the United Nations Refugee Council. Dr Ekhator is also the Convenor, Comparative Law Section (Society of Legal Scholars), Chair Committee on the Teaching of International Law and the SDGs - International Law Association (Nigerian Branch) and Senior Fellow Environmental Law and Sustainable Development – Institute for Oil, Gas, Energy, Environment and Sustainable Development (OGEES Institute) Afe Babalola University Nigeria. Dr Ekhator is the current Deputy Editor-in-Chief, the Journal of Sustainable Development Law and Policy, Afe Babalola University, Nigeria and the Co-Lead of the International Law, Environment and Human Rights Research Cluster University of Derby Law School.

The Research

In November 2020, the Cheshire and Warrington Sustainable and Inclusive Growth Commission ('the Commission') was set up by the Sub regional Leaders' Board, with the aim of building on progress to date to help realise Cheshire and Warrington's ambition of becoming the most sustainable and inclusive subregion in the UK. The Commission has been working on four themes: Inclusive Economy, Sustainable Transport, Sustainable Land Use, and Net Zero. For each of these themes the Commission developed an evidence base for Cheshire and Warrington's current position, a vision representing where the Commission believes the subregion should aim to be and a set of recommended actions to achieve these visions. The Commission sought to ensure that inclusivity was mainstreamed through all projects and promoted at every stage. Therefore, an internal Inclusivity Assessment Toolkit was developed to assess proposed projects across each of the core themes. This toolkit built upon existing Equality Impact Assessment methodology and broadened out beyond the 'protected characteristics' under the Equality Act 2010 to include socio-economic status and other marginalised groups.

In September 2022, the Commission published its report and recommendations (Towards a Sustainable and Inclusive Cheshire and Warrington: Final Report). One of the core recommendations in the report was to ensure inclusivity assessment informs decision making across the subregion in relation to environmental sustainability and to encourage the extension of the Public Sector Equality Duty under the Equality Act 2010 (utilising appropriate equality impact assessments) and to include consideration of socio-economic disadvantage.

A consultation phase for the Commission report was held with a wide range of people and organisations across the subregion (including members of the public, public and private sector organisations, civil society and local interest groups). A key point made by many of those who engaged was the need for co-creation and co-production as an essential part of addressing the challenges to achieve the goals and recommendations set out in the report. Therefore, this research project report seeks to respond to the Commission report recommendation to promote inclusive assessment of environmental sustainability decision making and ensure that the consultation call for community engagement and co-production is at the heart of this process. The research upon which this report is based was carried out in two phases between April 2023 - July 2023. Phase one involved landscaping and evidence collation to establish the literature, existing challenges and good practice around approaches to inclusive environmental sustainability decisionmaking (across the subregion and beyond). This was followed by phase 2 which involved a series of community engagement focus groups with community partners and marginalised

voices together with a series of in depth interviews with key stakeholders/decision makers involved with developing and implementing environmental sustainability measures and policy across the subregion.

The findings from this research are set out in this report together with a series of recommendations for the public and private sector aimed at ensuring an inclusive approach towards environmental sustainability decision making. In particular, this evidence base has been used to develop a co-produced Environmental Justice Framework (the Framework) for use by public and private sector decision makers to ensure inclusivity and environmental justice is mainstreamed throughout the development, implementation, and monitoring of environmental sustainability policy and actions introduced across the subregion of Cheshire and Warrington and beyond.

This Framework will seek to reduce inequalities in environmental sustainability development and implementation across the subregion and beyond and ensure that such measures are built on inclusive foundations of environmental justice to ensure equity, efficacy, and impact. This research builds upon existing strengths and subregional work and addresses identified challenges, bringing together partners from industry, local government, community and voluntary sector, academia, and communities (particularly, marginalised voices).



Key Definitions

“ENVIRONMENTAL JUSTICE is ‘the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other...activities that affect human health and the environment’

”

US Executive Order, 2023

“ENVIRONMENTAL INEQUALITIES are the unequal distribution of environmental risks and hazards and access to environmental goods and services.

”

Sustainable Development Research Network, 2005

“EQUALITY IMPACT ASSESSMENTS ‘are assessments that public authorities often carry out prior to implementing policies, with a view to predicting their impact on equality.’

”

House of Commons Research Briefing, 2020

“ENVIRONMENTAL SUSTAINABILITY can be defined ‘as meeting the resource and services needs of current and future generations without compromising the health of the ecosystems that provide them...’

”

Morelli, 2011

“CO-PRODUCTION ‘is the sharing of power between experts by experience and other stakeholders who contribute their knowledge, skills and experiences to co-create value in processes and outcomes at different stages and levels. It is a context-dependent and challenging approach where principles must be strived for in a learning process.’”

White & Ross, 2023

“MARGINALISED COMMUNITIES: ‘People can be marginalised in many ways, with marginalisation embracing factors such as material deprivation, inadequate housing, low educational levels, high unemployment, poor health as well as discrimination and prejudice.’”

European Parliamentary Research Service, 2016

“The PUBLIC SECTOR EQUALITY DUTY (PSED) is a legal requirement for public authorities and organisations carrying out public functions. The purpose of the PSED is to make sure that public authorities and organisations carrying out public functions think about how they can improve society and promote equality in every aspect in the word of their day-to-day business.”

Equality and Human Rights Commission

Context

As we move on from COP28 and the world continues to seek to demonstrate commitment to the Sustainable Development Goals in a meaningful way, there is a clear need to ensure that disproportionate environmental burdens don't continue to fall on already marginalised groups within society. Indeed, the Intergovernmental Panel on Climate Change (IPCC) recently reported that urgent action is needed to deal with increasing climate risk together with a recognition that the impact of the crisis disproportionately impacts on already marginalised communities and that any steps to address this crisis need to be implemented fairly and equitably to avoid exacerbating inequalities and to ensure implementation success (Intergovernmental Panel on Climate Change, 2022).

This increased focus on environmental inequalities and environmental justice is welcome and much needed on the world and domestic stage. More broadly, Cushing et al., 2015 suggest that inequality is bad for both the economy and the environment as inequality erodes social cohesion and reduces the willingness to cooperate to protect common resources. However, more recently there is growing cautionary recognition that sustainability policies themselves can increase inequality if not accompanied by broader policy measures to address inequalities (Neumayer, 2011).

Environmental Justice

The environmental justice movement originally emerged from the US civil rights movement in the 1980s. It was a response to a growing recognition of the concept of environmental inequalities and concern that communities from poor and minority ethnic backgrounds were being disproportionately impacted by environmental issues and excluded from environmental decision making (Schlosberg, 2007). Whilst Europe and the UK have not had an environmental justice movement comparable to the US, there is a steadily increasing body of national work (for example: Preston, et al., 2014; Eames, 2006; Lucas, Walker, & Eames, 2004; Walker, 2010). Emerging from US research in this area, at its most basic, environmental justice tends to be broken down into concepts of distributive and procedural justice. More recently, three recurrent themes of environmental justice have emerged consisting of distributive, procedural and recognition elements and these are sometimes referred to as the 'three concepts of justice' (Walker, 2012). For the purposes of this report a basic dual framework will be utilised. Distributive justice focuses on the equitable distribution of environmental risks and benefits (Martin, et al., 2020). In contrast, procedural justice focuses on who gets to engage in fair and meaningful participation in environmental decision making.

There are very few laws and institutions created to specifically tackle environmental injustice in the UK. Some limited regulatory mechanisms on environmental justice, especially access to environmental justice and public participation in environmental decisionmaking, are localised in the environmental legislative framework including the Environment Act 2021 and the Aarhus Convention.

The Aarhus convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters is an international treaty which the UK ratified in 2005. It 'acknowledges the role that members of the public play in protecting the environment. The Convention gives individuals and civil society groups, including environmental charities, certain rights and imposes obligations on signatory Parties (such as the UK government) and public authorities regarding access to information, public participation and access to justice' (ClientEarth, 2022). Even though the UK is a party to the Aarhus Convention, the Convention has not been fully implemented into UK law thereby impacting negatively on access to environmental justice in the country. Equally, many (such as Lee, 2023) argue that the Environment Act 2021 negatively impacts on public participation in environmental issues in the UK.

A significant level of national work focusing on environmental justice is routed in governmental activity and from 1992, 'environmental equality' was one of the UK government's sustainable development indicators and is now mainstreamed through the SDG indicators. It is also seen by some as integral to the levelling up agenda (Gov.UK, 2021). In May 2019, the Institute for Public Policy Research established an Environmental Justice Commission building on its work on environmental breakdown and its Commission for Economic Justice. The central aim of the Commission was 'to present an ambitious, positive vision shaped around people's experiences and needs, and develop a plan of action that integrates policy both to address the climate and environmental emergencies and to deliver economic and social justice' (Environmental Justice Commission, 2021, p. 1).

The Environmental Justice Commission's report placed people at the centre of the recommendations made but also in relation to the approach to developing them. In particular, the report recommended six major shifts in the UK's approach to addressing the climate and nature crisis to achieve distributive and procedural justice.

Impact assessments and environmental justice

Some consider that existing impact assessment tools could be better used to address environmental inequalities and promote environmental justice (Connelly & Richardson, 2005; Walker, 2010). It is argued that impact assessment tools could be used as a dual pronged approach to enable greater community and stakeholder participation thus promoting procedural justice and as a means of ensuring the robust and systematic analysis of negative impacts and benefits of environmental policy and measures aimed at achieving distributive justice.

Walker (2010) described a wide range of impact assessment and policy appraisal tools used in the UK context. In a piece of research (Walker, 2007) originally completed for Friends of the Earth, a total of 16 different forms of existing impact assessments were identified as potentially relevant environmental justice frameworks. However, it was considered that these were all largely focused on distributive rather than procedural justice. They assessed impact on particular groups rather than providing for community engagement on environmental issues.

Some of these assessments were mandatory under legislation. However, others had no statutory status and were rarely used in the UK (Walker, 2010; Burdge, 2003).

Walker (2010) also noted the potential for the use of Equality Impact Assessments as a means of assessing the impact of environmental measures and policy on marginalised communities. This is a process by which public bodies can assess the impact that a policy or practice is having, or is likely to have, on equality. However, he concluded that there was little evidence of systematic use of such assessments to assess impact in environmental decision making.

Equality Impact Assessments, the Public Sector Equality Duty and environmental justice

The use of Equality Impact Assessments are no longer mandatory in England (but are in Wales and Scotland). The Public Sector Equality Duty under the Equality Act 2010 (PSED) provides the legislative framework for use of Equality Impact Assessments in relation to the 'protected characteristics' under the equality legislation.

The General PSED under Section 149 of the Equality Act 2010 requires equality to be considered and mainstreamed into the way public bodies act as employers; public sector decision-making; the development, evaluation, and review of policy; the design, delivery, and evaluation of services; and how they commission and procure from others. It also requires these matters to be kept under review.

As stated in the Equality and Human Rights Commission's Guide to the PSED: 'the broad purpose of the general equality duty is to integrate consideration of equality and good relations into the day-to-day business of public authorities' (Equality and Human Rights Commission, undated).

The General PSED under section 149 of the Equality Act 2010 is broken down into three distinct aims. Public authorities subject to the PSED must, in the exercise of their functions, have due regard to the need to:

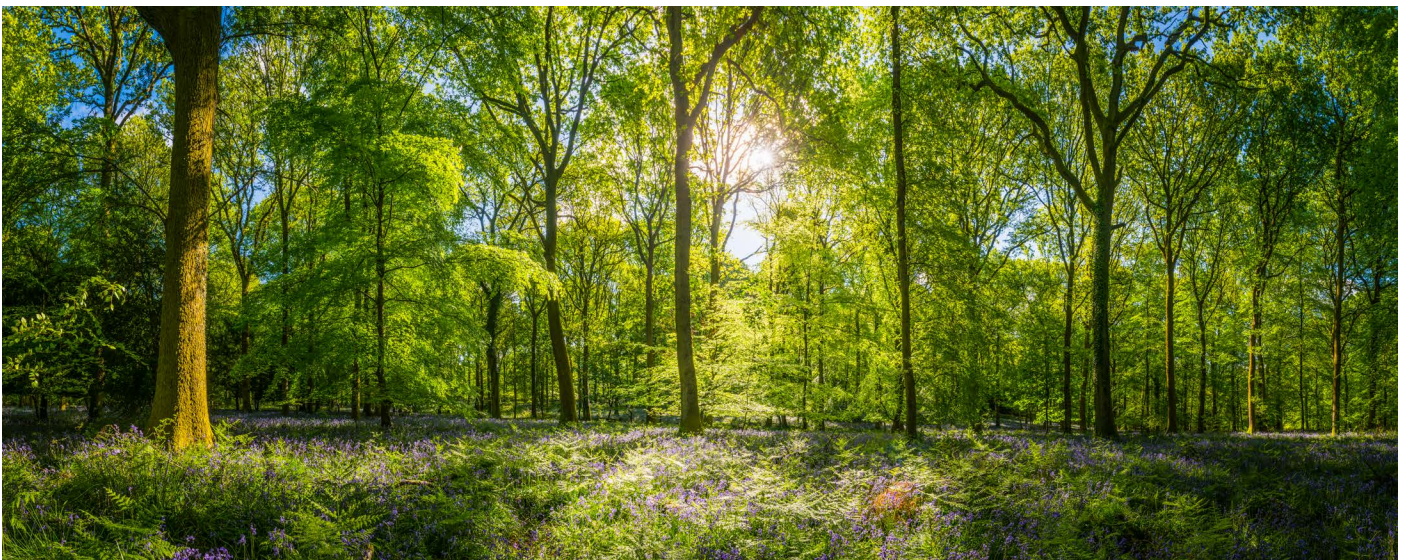
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act [AIM 1]
- Advance equality of opportunity between people who share a protected characteristic and those who do not [AIM 2]
- Foster good relations between people who share a protected characteristic and those who do not [AIM 3]

One of the main tools to help public bodies meet their obligations under the PSED are Equality Impact Assessments. Whilst there is no legal obligation to carry out a process labelled as an 'Equality Impact Assessment' in England, the steps that the courts have said public bodies need to take to demonstrate that they have had 'due regard' to equality under the PSED include the main elements of such an assessment.

The Equality Impact Assessment process guides organisations to systemically draw on available evidence, data monitoring and consultation to assess and record the likely impact of their work on individuals or groups before making a decision and take action to remove and/or minimize the impact of such decisions, where appropriate. Whilst this is a practical tool to identify discrimination and assist in the analysis of policies and practices to make sure they don't discriminate or disadvantage people, it should also be used to improve and promote equality. They are intended to be a tool to be used in evidence-based policy and decision making. All policies, procedures and processes should be assessed at development stage and reviewed regularly.

A key element of an Equality Impact Assessment is that an organisation takes account of equality as they develop policy and plans as well as implementation. Therefore, engaging with the assessment at the end will result in a lack of proper consultation and opportunities for picking up issues and adjusting as part of the policy development will be missed.

Based on the case law and guidance around the PSED and Equality Impact Assessments, it is possible to utilise this approach to ensure environmental justice around environmental sustainability decision making. Equality Impact Assessments require an assessment of impact on protected groups as well as consultation. Therefore, meeting the requirements of both distributive and procedural environmental justice.



Co-production and environmental justice

At the heart of emerging discussion around environmental justice is the need for co-production approaches in developing and implementing environmental sustainability measures. Indeed, it is considered that an equality impact assessment framework around environmental sustainability requires a co-production approach to understand impacts and ensure consultation and community engagement. White and Ross have suggested a working definition of co-production (formed from a systematic review of literature in this area): 'Co-production is the sharing of power between experts by experience and other stakeholders who contribute their knowledge, skills and experiences to co-create value in processes and outcomes at different stages and levels. It is a context dependent and challenging approach where principles must be strived for in a learning process.' (White & Ross, 2023).

Central to the environmental justice movement is an emerging call for transformative forms of justice that seek to redress inequalities within environmental policy and facilitate marginalised communities to not only benefit from but also shape, implement and evaluate interventions (Lane, et al., 2011; Braun, 2015; Rice, Burke, & Heynen, 2015; Watson, 2014; Perry & Atherton, 2017; Forsyth & McDermott, 2022).

Discussion of co-production in the context of environmental justice has not only sought to address issues of community participation in the production of knowledge but also as a means to transform the role of communities in developing plans and achieving more equitable outcomes as well as being part of the governance process (Tubridy, Lennon, & Scott, 2022). Equally, proponents of 'deep co-production' in relation to environmental science argue that there is a need to go beyond accepted understandings of how marginalised groups are impacted by environmental crises, and consider who makes up such groups and how such groups may feel unable to engage due to circumstances.

We need to engage with marginalised communities to better understand what environmental risks exist which may mean reformulating understanding of existing assumptions of risk and community (Forsyth & McDermott, 2022). In the IPPR Environmental Justice Commission research, participants expressed dissatisfaction at a disconnect between themselves as community members and decision-makers, feeling often that decisions had already been made before any consultation. The Commission report clearly pointed to the need for communities to play a meaningful role in environmental decision making (Environmental Justice Commission, 2021).



Research Findings

The following findings are based on individual in depth interviews and focus groups with community voices from across the subregion of Cheshire and Warrington conducted between April and July 2023. Interview participants were largely those with some remit for developing and/or implementing environmental sustainability initiatives/policy within their organisation. Interviewees represented both private and public sector organisations as well as representative bodies. Individuals represented organisations with responsibility for environmental sustainability in areas such as planning, waste management, and education. To preserve anonymity of participants and their organisations, reference will be made in broad terms to those engaged in the private or public sector.

In addition, three community engagement focus groups were held between June and July 2023. Attempts were made to ensure a range of community voices were represented. Participants in these focus groups represented those from potentially marginalised communities across the subregion including asylum seekers and immigrants, rural communities, and those with lived or living experience of living in poverty. These focus groups were intended to ensure community voices would be at the heart of this research and recommendations and the principles of co-production (as set out by in the Local Voice Framework Coproduction Definition and Principles, 2023) were aspired to throughout. Participants across the interviews and focus groups presented an appropriate representative demographic range in terms of gender. Information on age, race and disability was not gathered from participants but it is considered that the sample also included appropriate representation in terms of race, disability, and socio-economic status. It is considered that the community groups engaged via the focus groups helped to ensure greater representation of marginalised voices and diversity.

Interview Participants



Focus Groups





Definition and Understanding of Environmental Sustainability

The term 'environmental sustainability' is a broad and fluid term and there is no standard globally accepted definition. Therefore, unsurprisingly, research participants had some difficulty in describing the term. Most provided either general or very specific examples of environmental sustainability activity rather than seeking to provide a definition. A couple of participants (whose work role centred on environmental activity) were more likely to attempt to provide a concise definition but ultimately recognised that the concept was too complex to clearly summarise. Some participants also sought to describe environmental sustainability in terms of global finite resources and the crucial need to seek to develop and grow within these environmental limitations.

“Sustainability for us has many angles...we need environmental sustainability...we need economic sustainability...we need sustainability for our businesses as a whole and our people.”

Alan (Interview Participant)

Some participants focused on the broader concept of 'sustainability' which includes but goes beyond the environmental focus. They explored the need to consider sustainability in terms of intersecting economic, social, and environmental factors. Although, not explicitly referenced, this broader focus is likely to have been underpinned by knowledge of the Sustainable Development Goals (SDGs).

This lack of a consistent definition of environmental sustainability may contribute to the general lack of understanding in this area.

“This is a big question because we can get into a whole thing here around environmental sustainability because I spend a lot of my time going that sustainability isn’t just about the environment.”

Tara (Interview Participant)

“It’s simply getting to the point where we are no longer degrading the environment... and we are working in concert with the resources that we have available to us rather than exceeding them and degrading that environment.”

Walter (Interview Participant)





Challenges to Environmental Sustainability

Having explored their understanding of the term, research participants were encouraged to discuss their perceived challenges to environmental sustainability. Interviewees were asked to consider these challenges from their personal but also organisational perspective. Focus group participants were encouraged to explore their broader concerns regarding the environment as well as more specific local environmental challenges. Most participants expressed significant environmental concerns, and many referenced the climate crisis linked to the biodiversity crisis as well as the need to transition to a low carbon economy and society.

Climate change was perceived as a significant personal and organisational challenge both globally and locally. There was concern that the media focus on the climate crisis had meant that other challenges to environmental sustainability were less well understood and therefore were less likely to be addressed. However, there was also a perception that the climate change challenge could be considered as too big and distant an issue for most people to feel able or willing to address. There was a feeling that this had led to people detaching from any personal responsibility for taking action.

“I think we face a major kind of challenge in terms of, you know, people being able to influence the climate. I think there’s a real challenge with people feeling like It’s simply too big of a problem for them to be able to influence in their day-to-day decisions.”

Walter (Interview Participant)

“We’ve set climate change targets to respond to that, so I think certainly in terms of climate change...this is very much higher up on the agenda...[and] are increasingly recognised by the authorities as being a challenge...in terms of the other environmental issues, we are responding in a way that we can. We’re still learning how to respond to it...I think we’re slightly less developed but we’re working out our way through...”

Derek (Interview Participant)

Some participants felt that public concern regarding the climate emergency was often short lived and soon disappeared quickly after extreme climate events with little focus on long-term consequences. Similarly, it was perceived that there was a lack of understanding of the wider social, health and economic consequences of the climate crisis.

Therefore, participants felt that this personal distancing, transient focus and lack of understanding had led to an unwillingness or inability of society to adapt and make the changes necessary to address the environmental emergency at a global and local level. Added to this was a perceived unwillingness or inability of individuals and/or the public and private sector to meet the additional personal and organisational financial cost of environmental sustainability action.

“The biggest challenge for society is to make the mental shift and to realise what we need to do...”

Alan (Interview Participant)

“We had last summer; we had our first day in the UK with 41 degrees highest ever and for about 3 weeks afterwards people going wow. We really need to do something here and today... it's all forgotten about so that that is the challenge.”

Alan (Interview Participant)

“It's the age old one. The cost of trying to fix that...how do we fix that...and still have a viable business.”

Michael (Interview Participant)

Focus group participants from marginalised communities were more likely to express specific localised challenges to environmental sustainability (such as local pollution, recycling problems, lack of local green space, poor access to environmentally sustainable public transport etc). However, interview participants were more likely to focus on larger global issues such as climate change and flooding. This disconnect between community and organisational concerns may well explain why environmental sustainability policy focusing on global climate issues is often difficult to implement and achieve local solution buy in.

Focus group participants also expressed concern about the impact of anti-social behaviour as a challenge to environmental sustainability. They also focused on the challenge of 'others' creating environmental problems. Perceived blame for environmental harm and a lack of action to address the climate emergency was often placed on local and national government and industry.

The economic limitations on the ability of individuals to take personal responsibility for environmental sustainability was a consistent concern and some suggested the need to provide financial or other incentivisation to support individual environmental sustainability action.

A further common challenge was a perceived lack of local government action on environmental issues together with apparent failings in communication and engagement with impacted communities. Participants felt that this had led to decreased confidence in environmental decision making and community disengagement with environmental issues. There was also a perceived lack of communication across different local government departments in this regard.

Despite recognised and perceived challenges to environmental sustainability, participants were also able and willing to provide some excellent exemplars of global, national, and local activity around environmental sustainability. Some of the activity referenced by participants was around activity which could be categorised as environmental justice focusing on ensuring both distributional and procedural justice for marginalised groups in relation to the development and implementation of environmental sustainability measures.

“ It seems to only be the things that visitors can see that they focus on...they ignore hidden issues. ”

Focus Group Participant

“ [local government departments] work in silos and they don't work in a cohesive way. Different departments don't work with each other, and they don't work with the community. They don't talk to each other. ”

Focus Group Participant



Environmental Sustainability And Environmental Justice Measures

Throughout the focus groups and interviews, participants shared some excellent global, national, and local activity around environmental sustainability. Several projects aimed at addressing the impact of the environmental crisis were referenced.

Examples of subregional environmental Sustainability

[ZE30](#)

[encirc](#)

[Cheshire East Council](#)

[Cheshire West & Chester Council](#)

[Cheshire and warrington local enterprise partnership](#)

[Net Zero Hub](#)

[Warrington Borough Council Climate](#)

[Change Commission](#)

[Chester Zoo Nature for Network](#)

[Partnership2](#)

[QZ!@](#)

[Chester sustainability forum](#)

[The Mersey Forest Project](#)

[Go too travel scheme](#)

Some of the activity discussed by participants was around initiatives which could be categorised as environmental justice measures. These initiatives provided examples of activity which focused on seeking to consider the impact of environmental sustainability decision making on marginalised communities and/or which provided examples of involving marginalised communities in developing and implementing environmentally sustainable actions.

Examples of subregional environmental Justice

[Cheshire east council community flood resilience planning](#)

[Snow Angels](#)

[Climate just](#)

[Agenda 21](#)

[GRaBS tool](#)

[Global Mondelez Projects](#)

[Cheshire and Warrington natural capital audit and investment plan](#)

[Green Expo](#)

[Community inspirers](#)

[Warm Spaces Initiative](#)

[GMCA co-benefits tool](#)

[Northwest Routes to Net Zero Summit](#)

[Net Zero Sense of Place](#)

Marginalised Communities and Environmental Sustainability

In line with the principles of coproduction, it was essential that community voices (and particularly marginalised communities) were central to this research process.

Therefore, the focus group discussions underpinned both the questions explored with interview participants, the findings in this research and it has also underpinned the development of the Inclusive Environments Environmental Justice Framework. Similarly, an emerging theme emerging from the interviews with public and private sector organisations was a keen awareness of the specific impact that marginalised communities face in relation to the environmental crisis and implementation of environmental sustainability measures. Many interviewees recognised that at a time when there is a cost-of-living crisis and other demands on public spending, there is a difficult balance to maintain when investing in environmental sustainability which may involve further disadvantage for those already socio-economically marginalised.

“Certain communities are more vulnerable than others...those communities may not have the adaptive capacity to be able to adapt their properties or adapt how they live in order to mitigate that impact.”

Derek (Interview Participant)

Some discussed the need for awareness of the ability of communities to adapt to the effects or impact of the environmental crisis or 'adaptive capacity'. It was perceived that some groups have greater adaptive capacity to respond to the effects of the climate emergency and that there is an enhanced need to develop this adaptive capacity for vulnerable groups. It was considered that this required not only a financial response but also a recognition of the need to develop social and cultural capacity for marginalised communities. It was suggested that decision makers need to work with communities to develop resilience to limit environmental impacts with focus on particular vulnerabilities.

“ They have to balance all these things... we are demanding that we get support, and we get this investment because I feel almost an imperative that we have this opportunity to decarbonize...and if we miss the opportunity, you know morally that's wrong as well. Equally then, we're asking government for public purse support to make that happen...the reality is that you know, there's a lot of demands on the public purse ”

Alan (Interview Participant)

Participants referenced specific vulnerabilities in relation to environmental sustainability measures including income-based inequities, isolated and older communities, those with disabilities and those from minority ethnic groups. Transport was a common theme with participants perceiving the need for greater focus on environmentally sustainable efficient public transport which had the potential to narrow the economic divide.

“ a social...collective solution makes things more equal...if public transport is reliable then it doesn't matter whether you're starting out...or whether you are a CEO and have got bags of money...you can still get on the bus and you know it's going to get you to where to need to be... ”

Tara (Interview Participant)

Equally, there was concern that EV policy had the potential to have disparate impacts on marginalised communities particularly where focus on such policy was at the cost of supporting accessible transport. It was considered that local government has a core role to play in supporting socially sensitive environmental sustainability decision making but that caution should be exercised to avoid homogenising approaches towards marginalised communities.

“ ...potential to create a kind of self-reinforcing cycle whereby you know there's access to EV infrastructure in higher income communities and not in lower income communities...so we're kind of shackling lower income communities to fossil fuel resources. ”

Walter (Interview Participant)

Understanding of Environmental Justice

Whilst participants were aware of the term and could largely provide examples (if not definitions) of environmental sustainability, the term 'environmental justice' was much less well understood. The term 'environmental justice' is better understood globally but there has been some growing national understanding in recent years particularly with the emergence of the Just Transitions agenda.

Although, the research participants recognised that societal inequalities exist around the impact of environmental challenges and environmental sustainability decision making, most had little recognition of environmental justice as a concept.

“We would...normally think about it like climate justice, which is about how the global south in particular and...disadvantaged groups...people that aren't economically powerful... where the climate or the environment is affecting them more than other groups.”

Maeve (Interview Participant)

The few participants who had an awareness of the term 'environmental justice' had only previously linked it to global activity and issues rather than local and regional activities. However, a few were able to frame their awareness of environmental justice in terms of the inequalities in environmental impacts. Only one participant explored the concept of environmental justice in terms of the need to ensure fair process in the design and implementation of environmental sustainability measures.

“There is an awareness that environmental impacts vary across society, that different groups will be impacted differently...so it is about us having due regard and making corrections required to ensure that...none of those groups are adversely impacted or unnecessarily adversely impacted by any changes we make to respond to environmental concerns.”

Derek (Interview Participant)

“ Those that are producing and consuming more...are probably the ones that can find a way to mitigate the impact or are not as vulnerable to those impacts. ”

Tara (Interview Participant)



Developing a Framework for Environmental Justice

Having explored the nature of and challenges to environmental sustainability as well as the perceived environmental inequalities that exist (both global and local), research participants were encouraged to explore proposals for how to develop a robust and effective framework to seek to ensure environmental justice in relation to environmental sustainability decision making. Many participants recognised the need for greater community engagement by such decision makers. A person centred method was suggested rather than a 'tick box' approach to developing measures with community engagement leading the decision-making process around environmental sustainability rather than being an afterthought.

“ We need to be bottom up rather than top down. ”

Focus Group Participant

“ You shouldn't do things to people...you should do things with people. ”

Focus Group Participant

Participants suggested that public and private sector organisations should develop a greater understanding of 'who' they need to talk to when seeking to develop environmental sustainability measures rather than discussing in an 'echo chamber' lacking in diverse representation and in which marginalised voices are often drowned out. Equally, it was considered that organisations also need to develop understanding of 'how' to engage community voices and that guidance and support was needed in this regard. There was some recognition that public sector engagement with community groups was already taking place in relation to some high-level public programmes, but there was a lack of a consistent approach in relation to environmental sustainability decision making more generally. Where community engagement through co-production was used by local government to develop strategy and inform decision making, it was perceived to be very effective.



“ You have to find a way of being able to get to people, to get them engaged... you will never get to 100% of people. You have to find a way of targeting people so that it is flexible. ”

Focus Group Participant

It was perceived that there was far less attempt at community engagement in relation to environmental sustainability decision making by the private sector. However, in situations (such as planning) which required consultation and in relation to global activity, engaging with communities was often carried out by the private sector very effectively.

Several examples of community engagement by industry in relation to charitable activities and the development of 'liaison groups' was provided. Whilst much of this private sector activity was perceived to lack consistency and was ad hoc, it was felt that this could be easily adapted to provide for greater community engagement on decision making around environmental sustainability.

“ We're probably fortunate insofar as we're a relatively young company as part of coming to Cheshire, we were asked to form a liaison group...so we got to know the local community around us...it's really important for companies to be part of the community and to have liaison groups set up. ”

Alan (Interview Participant)

Parish Councils were also perceived to be a useful means of ensuring community engagement by local government and the private sector around environmental sustainability. Whilst it was considered that Parish Councils are already utilised by local government, it was also recognised that the links and communication are not sufficiently developed around environmental measures.

However, it was felt that Parish Councils (as currently formulated) were not sufficiently representative of the communities within which they exist. Equally, they were perceived to be insufficiently resourced and informed to ensure environmental justice without other means of community engagement.

“ [X Company] had a panel made up of the parish council and members of the community and asked what they could do to support the community Not just connecting when they want something. ”

Focus Group Participant

“ Parish Councils are not truly representative...if we take our parish council...the average age of the parish council is between 50 and 70, predominantly male, so it isn't representative. ”

Fred (Interview Participant)

Participants also felt that there was a need to develop greater trust between the community and the public and private sector before proper engagement can be achieved.

There was a perception that even where consultation occurred, community voices were often ignored and that more meaningful engagement was required on environmental issues.

The need to resource and support the building of community knowledge and resilience around environmental sustainability was suggested as a means of addressing the impact of the environmental crisis on marginalised communities. In order to ensure meaningful co-production in environmental sustainability decision making, there was a perceived need to build community knowledge and understanding to empower marginalised communities to work with the public and private sector to build equitable appropriate environmental solutions.

One participant felt that industry and local government could usefully learn from environmental justice activity and engagement with communities in the 'global south' in this regard.

“ Consultations happen but they take absolutely no notice at all and also people don't take any notice of the consultation – they don't really want to know about what the local area thinks. ”

Focus Group Participant

“ Education is needed as I'm not aware of many environmental issues. ”

Focus Group Participant

“ (We need to) start to develop...build that capacity for knowledge and it comes down to...the adaptive capacity of communities to build their knowledge, their ability to do things for themselves, Their ability to work together and cooperate and come up with solutions that may well be better than the ones that we can do. ”

Derek (Interview Participant)

“ This feels like one of those situations where I think we could learn more from what we're doing in the non-westernized world cause there we do seem to do it [community engagement] much more... whether it's because we're just that much closer to the local community...we work with them more closely. ”

Michael (Interview Participant)

Existing networks and liaison mechanisms such as church groups and charities were considered as an important community engagement resource and important link to accessing marginalised voices. The need to engage with the youth voice via schools was considered particularly important.

Many participants however recognised that those from marginalised communities and particularly those from low socioeconomic groups were likely to be the most time poor and therefore less able to participate. Therefore, to ensure representative community engagement, it was felt that participating communities must be appropriately recognised and remunerated.

It was suggested that access to community voices should be via existing mechanisms to avoid creating additional obligations on those engaging. Equally, caution was urged to ensure that communities would not feel obligated or discouraged from engaging in community support activities by feeling forced into engagement activities around environmental sustainability.

Private sector participants felt that local government could provide a supporting mechanism for them to be able to carry out community engagement. It was felt that private sector organisations would be far more likely to engage with communities if they were provided with an easy and effective means of collecting community views.

“ I think going through existing groups where there is a trust and relationships are already developed and then kind of broaden and start those kinds of conversations. ”

Tara (Interview participant)

“ More attention is needed on young people being involved in the discussion... talk to young people more – they are malleable – give them opportunities. Give them more responsibility and bring in schools and college...need to start in primary school. ”

Focus Group Participant

“ I think it’s really easier said than done, because the people who are truly the most disadvantaged are also potentially those that are the most time poor...if you’re a single mum that’s working three jobs, you’re not particularly going to be minded to spend some of your valuable time necessarily engaging with... organisations and matters that might not...seem directly beneficial to your daily life. ”

Walter (Interview Participant)

“ They need to come right into the middle of the community and talk to people... rather than just doing online surveys – put physical versions of the survey in community centres where people can meet to discuss. ”

Focus Group Participant

“ But at the same time, we don’t want to deter people from engaging with those groups...by saying...here’s a survey... making it kind of artificial or identifying them as a service user.... That’s not what everyone would necessarily want. ”

Walter (Interview Participant)

Whilst procedural environmental justice via engagement with marginalised communities and co-production was considered by most participants as vital, it was also recognised by some that there needed to be a means of accessing accurate and regularly updated environmental impact data on communities. Although some participants felt that there was good impact evidence in relation to some core environmental concerns such as flood risk, there was a perceived lack of environmental impact data in other areas of challenge. It was felt that an impact assessment tool would provide a solid evidence base for the public and private sector to assess environmental impacts on particular groups and also to assess the impact of proposed environmental sustainability measures on marginalised communities.

Importantly, it was also considered that this would then assist the public and private sector in determining which communities needed to be engaged in the decision-making process. It would provide a clear indication of 'who' to talk to.

The importance of bringing impact data and the community voice together in an accessible form was considered particularly important as a means of encouraging the private sector to make environmentally just decisions. Some participants referenced existing environmental mapping tools that had previously been

“ There's certain areas we have a huge amount of evidence... but I think the other flip side, there's a huge amount of evidence that we don't have an evidence base on and there's a huge number of areas where I don't think we know what the impacts are. ”

Derek (Interview Participant)

developed at a regional level. Others referred to local mapping data which already existed in relation to core environmental issues such as flooding and heat vulnerability and felt that it would be possible to map data re disadvantage onto this. However, there was concern that such mapping tools were inconsistent and often lacked sustainable funding to ensure they were maintained and up to date.

“ Most companies are so data driven... anything around data and that really helps sell it to industry. If you've got data fantastic...you need both actually. If you just come with the voice...industry will nod and listen... but maybe not act so quick. If you come with the voice and the data... that's the power of it...having both bits together. ”

Michael (Interview Participant)

“ A mapping tool [would be useful] that they can look at their area and they can see all the layers of the different data quite easily like a GIS system. ”

Maeve (Interview Participant)

“ A GIA spatial tool which tries to just layer on different climate impacts and you could also layer on some of the key socioeconomic data. ”

Derek (Interview Participant)

Having recognised the importance of assessing environmental impacts on community groups and the need for community engagement and co-production in environmental sustainability decision making, research participants also explored what a public and private sector framework for achieving environmental justice in practice might look like.

It was recognised that most existing assessments of the impact of environmental challenges and decision making on marginalised groups across the subregion had been carried out by the public sector.

Most commonly this was through the use of Equality Impact Assessments (encouraged by the Public Sector Equality Duty under the Equality Act 2010). In contrast, it was felt that Environmental Impact Assessments (which are relevant for both the public and private sector) under the Environment Act were of little use in ensuring environmental justice beyond some limited consultation requirements.

A number of interview participants explored whether a framework based on existing Equality Impact Assessment approaches could be developed to promote environmentally just decision making.

It was considered that Equality Impact Assessments (if followed effectively) could be used to assess impact on marginalised groups and ensure community engagement in environmental sustainability decision making. Equality Impact Assessments are not mandatory for public bodies under the Equality Act 2010 in England. Therefore, it was perceived that currently such assessments were being used by local authorities in relation to high level public programmes, but use beyond this was ad hoc and inconsistent.

Some participants felt that Equality Impact Assessments could be better used by the public sector in relation to environmental sustainability

decision making. However, it was also cautioned that it could be too burdensome on the public sector to engage a full assessment for all decision making in this area.

Some participants felt that an Equality Impact Assessment type approach may also be of benefit to private sector environmental sustainability decision making but that a clear business case would be needed to ensure voluntary engagement together with substantial guidance and support.

“ ...Sometimes....doing too many assessments of project level...I worry that It's a big burden and its' just the quality of them...it always ends up being something that people try and just get past and tick the box...at project Level you end up probably with one or two people working on it...[but] most programs have decent size boards... sort of strategy level policy Level...[equality impact assessments are used] definitely there.

”

Derek (Interview participant)

More generally it was considered that any environmental justice framework should be accessible and not overly onerous for users. In particular it was suggested that a framework providing stages of engagement would be useful so that the benefits could be clearly seen at each level to encourage greater compliance.

A metrics-based system to demonstrate tangible impact was suggested as particularly useful for the private sector with a financial bottom-line baseline provided to demonstrate the cost benefit of engaging with and assessing the impact of environmental sustainability decision making on marginalised communities .

“ Rather than be onerous, something that helps us just challenge ourselves I think... ”

Alan (Interview Participant)

“ You have to do it in stages...slow down a bit...talk to them...see what they can do in phases and drive it that way... ”

Michael (Interview Participant)

“ Find out what people want and then build up... ask questions. Don't impose – people are an after thought ”

Focus Group Participant

It was also suggested that a case study approach demonstrating how environmental impacts on marginalised communities had been successfully addressed would be useful for both the private and public sector. The importance of demonstrating how environmentally just processes benefit was also considered important.

Many participants also called for a framework to provide for assessment of impact and community engagement at the earliest design stage of any environmental sustainability decision making process.

“ Provide them with some kind of tangible impact in terms of the extent of change they've been able to generate through positive decisions in terms of equalities...I don't know if you could put a pounds, pence...value on it...I imagine having some kind of a defined metric of progress in relation to climate equalities would be of value to them so that they would be able to demonstrate to their shareholders...that...there is some... defined method of or measure of success. ”

Walter (Interview Participant)

Conclusions

Global and national recognition of environmental limits mean that public and private organisations are increasingly aware of the need to take action and develop policy in accordance with the Sustainable Development Goals. Environmental sustainability is a fluid and vague concept which covers a broad range of activity from addressing flood risk, to recycling and beyond. Emerging from the US, there is also an increasing recognition nationally that whilst the climate and broader environmental crisis are an issue of international, national and local equity, particular communities will differ in their experience of the impacts of and contribution to this crisis. Therefore, organisations not only need to be aware of the impact of the environmental crisis on marginalised groups but also of the impact of environmental sustainability decision making on particular communities.

In order to seek to address these environmental inequalities at a subregional level (and beyond), it is vital that the communities most impacted are listened to by decision makers and are at the centre of providing just environmental solutions that don't further disadvantage them. In other words, decision makers must ensure that environmental justice is central to the development and implementation of environmental sustainability actions and policy.

This research points to a range of environmental challenges that are of concern to both organisations and communities. It has also pointed to some of the obstacles perceived by organisations and communities to addressing these challenges. A central obstacle is the lack of a clear and consistent approach towards assessing and addressing the unequal impact of the environmental crisis on marginalised communities and a lack of engagement by decision makers with community voices when developing environmental sustainability initiatives and policy.

In spite of some evidence of ad hoc good practice, the data and wider evidence clearly suggests a public and private sector need for an environmental justice framework. There is potential for a tool to be developed from an Equality Impact Assessment approach to be utilized to address both distributional and procedural justice in environmental decision-making. This would build on approaches already being taken in higher level decisionmaking at local authority level and could be adapted for private sector use. It is argued that an approach based on guidance developed from the Public Sector Equality Duty under the Equality Act 2010 underpinned by principles of co-production would ensure a two-pronged accessible means of achieving environmental justice. It is recognised that this would require adaptation of existing approaches to recognise marginalised communities beyond the listed protected characteristics such as those from low socio-economic groups, asylum seekers and rural communities.



Recommendations

The data has demonstrated that (despite some evidence of good practice) there is a lack of understanding and consistency in relation to ensuring an environmental justice based approach to decision making around environmental sustainability. Therefore, based on the existing literature, analysis set out in these conclusions and the report as a whole, recommendations are presented below.

General

1. There is a need to develop a public and private sector Environmental Justice Framework to inform environmental sustainability decision making at a subregional/regional level. To ensure familiarity and coherence with existing public sector processes, this Framework should be underpinned by principles of co-production and existing approaches to Equality Impact Assessments and the Public Sector Equality Duty (pursuant to section 149 Equality Act 2010). This Framework will provide a holistic environmental justice approach to each stage of the environmental sustainability decision making process. The Community Engagement Hub and data from the Environmental Justice Mapping Tool (below) could be used to draw community voice and impact data together under this Framework. This Framework can be supported by case studies and wider support promoting good practice guidance in this area.

This Environmental Justice Framework should:

- Provide an accessible resource for the public and private sector.
- Not be excessively onerous and encourage contextual responses including recognising use of existing networks.
- Be based on clearly defined co-production principles.
- Inform and support the business case.
- Recognise the value of community participant time via appropriate compensation mechanisms.

2. Public and private sector organisations would benefit from an accessible and maintained Environmental Justice Mapping Tool which would assess the impact of the environmental crisis on distinct marginalised groups at a sub-regional/regional level and assist with the assessment of impact as set out in the proposed Environmental Justice Framework. Initially such a tool could be developed from existing data (for example local data around flooding and heat risk) and enable the sharing of data collected by both public and private sector as part of an impact assessment process set out within the Environmental Justice Framework. This mapping tool would also benefit from inclusion of data on the impact of environmental measures on marginalised communities. Existing tools could be used as a basis for further exploration. It is proposed that this could be cofunded and maintained in partnership by local government and industry.
3. Public and private sector organisations would benefit from a Community Engagement Hub at a subregional/regional level with a focus on environmental sustainability to assist public and private sector organisations with consultation and co-production as set out in the proposed Environmental Justice Framework. Existing links with groups such as Parish Councils and liaison networks could be used as an initial base to establish an appropriate network. Community participants must be compensated and there must be a broad representation of community voices to ensure representation of marginalised communities. It is proposed that this could be co-funded and maintained in partnership by local government and industry.

Private Sector (Regional/ subregional)

Whilst there are pockets of good practice around community engagement in the private sector, there is a lack of awareness of environmental justice. Equally, there is evidence that for international organisations the excellent practice (for example in the global south) is not replicated or considered at a domestic level. Many of the following pointers for action will be addressed by the proposed Environmental Justice Framework. Therefore, at a subregional and regional level it is recommended that the private sector:

1. Promote and ensure greater organisational understanding of environmental justice and recognition of environmental inequalities.
2. Develop strategies for ensuring community engagement and co-production when developing environmental sustainability measures at every stage of the decision-making process.
3. Collect data on the impact of environmental issues and environmental sustainability measures on marginalised communities including a particular focus on intersectional disadvantage and socio-economic impact.
4. Develop and build an understanding of the business case supporting the importance of environmental justice in relation to environmental sustainability decision making.
5. Recognise the transferable learning and understanding of global community engagement on environmental sustainability decision making and seek to apply this to domestic contexts and activity.
6. Work with local government to support environmentally just approaches to environmental sustainability decision making.

Local Government

The data points to significant public sector gaps in environmentally just approaches to environmental sustainability decision making. Many of the following pointers for action will be addressed by the proposed Environmental Justice Framework. Therefore, at a subregional and regional level it is recommended that local government:

1. Promote and ensure greater public sector understanding of environmental justice and recognition of environmental inequalities.
2. Seek to develop more robust links and communication between local government and marginalised communities on environmental sustainability challenges. This communication should focus on ensuring engagement with diverse and marginalised communities including but not limited to those groups currently protected by the Equality Act 2010 and those from socio-economically disadvantaged groups. Care should be taken to avoid homogenising approaches towards marginalised communities.
3. Develop strategies to address a perceived lack of joined up thinking and discussion across local government departments on environmental sustainability particularly focusing on developing synergies around EDI, environmental, planning, and economic development.
4. Develop dissemination strategies to gather and share knowledge and information around environmental sustainability more accessibly focusing on ensuring that marginalised communities can share and access this knowledge and information.
5. Develop approaches towards building community knowledge and understanding of environmental sustainability to empower marginalised communities to be able to work with the public and private sector to build equitable and appropriate environmental solutions.
6. Further develop adaptive capacity and resilience to mitigate environmental impacts by working more closely and effectively with marginalised communities.
7. Develop strategies for collecting data on the impact of environmental issues and environmental sustainability measures on marginalised communities including a particular focus on intersectional disadvantage and socio-economic impact.
8. Develop strategies for ensuring community engagement and co-production when developing environmental sustainability measures at every stage of the decisionmaking process.
9. Develop strategies for ensuring marginalised communities have consistent meaningful opportunities to express environmental concerns to local government and ensure these feed into public sector prioritisation when planning, developing, and implementing environmental sustainability measures.
10. Work with local industry and the private sector to support environmentally just approaches to environmental sustainability decision making.

National Pointers For Action

The data collected, and the focus of this research has been on the subregional context of Cheshire and Warrington. However, it is considered that these findings are transferable and useful beyond the subregion and could apply to local government and private sector organisations from across the UK. More general pointers for action at a macro level include recommendations that:

1. Greater focus is placed on environmental justice as a core governmental policy priority. This includes a need for greater national understanding of environmental inequalities and consideration of environmental justice mechanisms to seek to mitigate these inequalities.
2. More focus is placed on joined up thinking across government departments on environmental inequalities and environmental justice.
3. Consideration is given to developing legislation requiring environmentally just approaches to environmental sustainability decision making to mitigate against the limitations of environmental impact assessments.
4. Consideration is given to developing and sustaining a national Environmental Justice Mapping Tool for use by the public and private sector.
5. Consideration is given to supporting guidance on public and private sector approaches to environmental sustainability decision making using the proposed Environmental Justice Framework as a template approach.

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Further Reading

Inclusive Environments: environmental justice framework

Inclusive Environments: designing a framework for environmental justice (full report)

Towards a Sustainable and Inclusive Cheshire and Warrington (Sustainable and Inclusive Growth Commission)

Local Voice Framework Co-production Definition and Principles (Cheshire West Voluntary Action & University of Chester)

Fairness and Opportunity: a people-powered plan for the green transition (Final Report of the IPPR Environmental Justice Commission)

