

**KENT COUNTY COUNCIL
EQUALITY ANALYSIS / IMPACT ASSESSMENT (EqIA)**

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Directorate: Enterprise and Environment

Name of policy, procedure, project or service

The Pre-Submission Draft of the Kent minerals and Waste Local Plan

What is being assessed?

Planning policy for minerals and waste

Responsible Owner/ Senior Officer

John Prosser, Minerals and Waste Planning Policy Manager

Date of Initial Screening

13 September 2013

Date of Full EqIA:

TBC: Likely to be March 2014

Version	Author	Date	Comment
1	J Prosser	Aug 13	Original.
2	R Cutler/ J Prosser	Sept 13	Updated using the July 2013 template and to take account of the Diversity and Equality Officer's comments dated 28.08.13

Screening Grid

Characteristic	Could this policy, procedure, project or service, or any proposed changes to it, affect this group less favourably than others in Kent? YES/NO If yes how?	Assessment of potential impact HIGH/MEDIUM LOW/NONE UNKNOWN		Provide details: a) Is internal action required? If yes what? b) Is further assessment required? If yes, why?	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO - Explain how good practice can promote equal opportunities
		Positive	Negative	Internal action must be included in Action Plan	If yes you must provide detail
Age	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No
Disability	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No
Gender	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No
Gender identity	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No.
Race	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No
Religion or belief	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No.
Sexual orientation	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No.
Pregnancy and maternity	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No

Minerals and Waste Local Plan Team. September 2013

Marriage and Civil Partnerships	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No.
Carer's responsibilities	No	None	None	Any impacts would be no different to impacts on the general population. No further assessment is required.	No.

Part 1: INITIAL SCREENING

Proportionality - Based on the answers in the above screening grid what weighting would you ascribe to this function – see Risk Matrix

Low	Medium	High
Low relevance or Insufficient information/evidence to make a judgement.	Medium relevance or Insufficient information/evidence to make a Judgement.	High relevance to equality, /likely to have adverse impact on protected groups

State rating & reasons:

Low: Initial screening indicates that impacts on the nine characteristic are unlikely, or no different to impacts on the general population.

Context

The production of a Minerals and Waste Local Plan is a statutory requirement for the County Council. Once adopted, along with Local Plans produced by District Councils and Government Planning Policy, it will form the policy basis for decision making by the County Council when determining planning applications for proposed minerals and waste developments.

The Pre-Submission Draft Minerals and Waste Local Plan is the last draft for consultation prior to the County Council submitting the final Plan to the Secretary of State. Prior to the adoption of the plan, an independent planning inspector will hold an Examination in Public to ascertain whether the plan is sound. The Planning Inspector will consider any objections to the Plan and will then make recommendations to the County Council as to whether it should be adopted either with or without modification.

When the Minerals and Waste Local Plan is adopted, the County Council can then proceed with the production of a Minerals and a Waste Sites Plan. The Mineral and Waste Local Plan sets the context for these Sites Plans by quantifying the need for new development and providing the locational criteria for the selection of sites.

Aims and Objectives

The Minerals and Waste Local Plan establishes:

- the locational criteria for site selection in the minerals and waste site plans;
- the need for new minerals and waste development up to 2030;
- two strategic sites, one for mineral development and one for waste which are essential to the delivery of the objectives of the Plan;
- a development management policy framework against under which minerals and waste planning applications will be determined.

The Minerals and Waste Local Plan will also provide safeguarding through protection from other development for:

- viable mineral reserves;
- mineral import wharves and railheads;
- all current permanent minerals and waste sites;
- any site identified in the Minerals and Waste Sites Plans.

The aims and objectives of the Local Plan will be achieved by setting out strategic and development management policies.

Beneficiaries

When adopted, the Minerals and Waste Local Plan will provide greater certainty for residents as to where future minerals and waste developments are likely to be located. It will provide the minerals and waste industries with a better understanding of the basis upon which planning permission is likely to be granted for new development. The Kent economy will benefit through the continuity of mineral production in Kent and the provision of facilities in Kent to manage the waste that is produced within the county. Future generations will benefit from economic minerals not being sterilised from the capability of being extracted because the land has been developed.

Information and Data

The process of consultation during the development of the Minerals and Waste Local Plan is driven by legislation. The County Council is required to produce a Statement of Community Involvement which sets out how and when consultations will be conducted during the production of the Plan. The Statement of Community Involvement was also subject to consultation prior to the final document being completed.

Since 2010, four major public consultations have been conducted in order to inform the development of the Minerals and Waste Local Plan. A variety of different methods have been used to both disseminate information and to encourage participation through providing views in writing to the County Council, such as:

- Direct notification to an evolving list of stakeholders, including the District and Parish Councils, Statutory Agencies, neighbouring Minerals and waste Planning Authorities, the minerals and waste industries and local residents;
- Public Notices in local papers, press releases and notices for Parish Council notice boards;
- Drop in session at different locations in Kent;
- Workshops for the minerals and waste industry, for Parish Councillors and for district planning officers and environmental groups.

This has culminated in the development of a stakeholder database of nearly 3,000 names and contact details of residents, organisations and companies

which are interested in the development of the Minerals and Waste Local Plan.

During each consultation, the views of all participants are available to view online and after each consultation a report on the results of the consultation is prepared and published online. These reports are used to inform the development of the next stage of the plan making process.

Wider population demographics are considered through the Minerals and Waste Annually Monitoring Report, using available data from Kent County Council's Research & Evaluation team. These Monitoring Reports form part of the supporting evidence on which the Kent Local Plan is based.

Involvement and Engagement

A consultation on the Pre-submission Draft Minerals and Waste Plan is being organised to commence in January 2014 and will run for a six week period. The length of the consultation has been designed to reflect the next stage of the plan making process which will involve a formal period of objection that will occur once the completed plan has been submitted to the Secretary of State.

As with all previous consultations, this consultation will be primarily web based with the access to the consultation documents and the ability for submission of comments direct into an online system. Printed copies of the documents will be made available at all Kent libraries and Kent Gateways. CD ROMs with electronic copies of the consultation documents will be sent to all Parish Clerks and to any member of the public who requests one (there are parts of Kent where the speed of web access makes viewing large documents on-line difficult).

Participation in the consultation by email or letter is also possible. These comments will be added in the consultation web page so that they are publically available. The submission of views in written format is essential as the consultations form part of the evidence base for the Plan which also has to be submitted to the Secretary of State for examination by the Planning Inspector.

The consultation will be initiated through direct contact with our stakeholders, a notice in the local press, press release and notices for Parish Council notice boards.

Whilst the Minerals and Waste Local Plan team have hosted public 'drop-in' sessions for previous consultations, this is not considered to be necessary on this occasion for the following reasons:

- a) Previous consultations on the Draft Plan have run in parallel with the Sites Plans consultations that contained draft site proposals sites in proximity to Kent residents.
- b) Attendees from previous stages were added to the team's stakeholder database and they will be notified about this upcoming consultation.

- c) One of the aims of this consultation is to prepare stakeholders for the next stage. At the next stage there will be a restricted, formal period for objections to be made to the Planning Inspector. All objections have to be in writing and received within the deadline otherwise the objectors will not have a right to participate in the Examination in Public.

In recognition that people with print impairments may not find out about the consultation if they do not have internet access and/or are not able to read notice boards or newspapers, the following actions will be taken:

- Kent Association for the Blind has been added to stakeholder database and will be informed about upcoming consultations and their publication.
- Information on alternative formats will be positioned on the inner side of the front cover of the consultation document where it is more likely to be seen sooner by anyone reading out loud to a person with print impairments.

Potential Impact

The purpose of the Plan is to influence decision making on planning applications. The Minerals and Waste Local Plan policies are highly unlikely to have a specific impact, either positive or negative, on any of the protected groups to any lesser or greater extent than the general population.

The subsequent Minerals and Waste Site Plans, which will allocate sites in Kent for minerals and waste development, will be subject to their own EqIA. If there are any implications of the strategic policies of this Plan for older or disabled residents for instance, this can only be assessed at the Sites Plans stage or at the planning application stage. For example, the Plan does not alter or increase traffic relating to minerals and waste which are already on the roads in Kent; it is only at the Sites Plan stage that an assessment of the impact from the closure of existing facilities close and/or new sites proposed can be made.

Therefore, the Plan will have no physical effect until such time as proposed developments are granted permission and work on the development commences. It should also be noted that the County Council is subject to a statutory requirement to conduct consultations on planning applications and these consultations will include all residents living in close proximity to the application site(s).

Adverse Impact:

The Minerals and Waste Local Plan policies are unlikely to have a specific, adverse impact on any of the protected groups to any lesser or greater extent than the general population.

Equality and Diversity Team Comments

The Equality and Diversity Team's comments have been used to amend this report. The Equality and Diversity Officer has confirmed by email dated 10 September 2013, that the latest version of the EqIA has been reviewed and that all the points raised by the Equality and Diversity Team have been addressed.

Sign Off

I have noted the content of the equality impact assessment and agree the actions to mitigate the adverse impact(s) that have been identified.

Senior Officer

Signed: 

Name: **John Prosser**

Job Title: **Minerals and Waste Planning Policy Manager**

Date: **13.09.13**

DMT Member

Signed: 

Name: **Paul Crick**

Job Title: **Director of Planning & Environment**

Date: **13.09.13**

Equality Impact Assessment Action Plan

Protected Characteristic	Issues identified	Action to be taken	Expected outcomes	Owner	Timescale	Cost implications
All	Screening suggests specific impacts are unlikely. Assumption to be tested during the planned public consultation.	A full Equalities Impact Assessment to be undertaken after the public consultation.	A summary of participating consultees and the identification of any unexpected impacts on the nine protected characteristics.	John Prosser	Three months following the close of the public consultation.	Officer time.
All	A full Equalities Impact Assessment will be required for the Minerals and Waste Site Plans.	Initial screening to be undertaken prior to the planned consultation scheduled for April 2015.	Identification of any potential impacts on the protected characteristics.	John Prosser	Approximately four months prior to consultation.	Officer time.