

October 2016

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

**This document is available in other formats, Please contact
alice.short@kent.gov.uk or telephone on 03000 413328 or 03000 422370**

Name of policy, procedure, project or service:

Kent Minerals and Waste Local Plan

What is being assessed?

Statement of Community Involvement

Responsible Owner/ Senior Officer

Sharon Thompson, Head of Planning Applications

Date of Initial Screening

17/10/2016

Date of Full EqIA:

Version	Author	Date	Comment
1	A.Short	17/10/2016	Original
2	A Agyepong	26/10/2016	Comments
3	B Geake	31/10/2016	Amendment
4	S Thompson	3/11/16	Revisions

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	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Disability	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Gender	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Gender identity	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Race	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Religion or belief	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Sexual orientation	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Pregnancy and maternity	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No

Marriage and Civil Partnerships	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No
Carer's responsibilities for both client and parent relationships	No	UNKNOWN	UNKNOWN	Any impacts would be no different to impacts on general population. No further assessment required.	No

Part 1: INITIAL SCREENING

Proportionality - Based on the answers in the above screening grid what RISK 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 indicated that impacts on the ten characteristics are unlikely, or no different to impacts on the general population

Context

Kent County Council has a statutory requirement under Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) to adopt an up to date Statement of Community Involvement (SCI). An SCI sets the standards for community involvement with regards to the County Council's plan making and planning application functions. These incorporate the County Council's responsibilities on equality and diversity.

Kent County Council has two key planning functions. The Minerals and Waste Planning Policy team are responsible for producing a suite of local plans which set out how and where any minerals and waste development will take place in Kent over the coming years. The key goals are ensuring that there is a steady and adequate supply of minerals to meet the needs of Kent, and the amount of waste sent to landfill is reduced. The County Council is also the determining authority for all planning applications relating to minerals or waste development, as well as any County Council community development such as new schools. This SCI covers both of these planning functions.

The first SCI was adopted in 2006; this was then updated in 2011. Two addendums were made in 2013 and 2014 to ensure consistency with national planning policy. The County Council now considers that there is a need to update the document as a whole to reflect current community aspiration on engagement and legislative requirements.

Aims and Objectives

The Statement of Community Involvement covers:

- The importance of community involvement with the preparation of local plans
- The challenges to community involvement unique to Kent
- How the County Council will engage with the public over the next set of local plan projects
- How the County Council will engage with the public throughout the development management (planning application) process.

Other than general streamlining and improving clarity, there are very few changes between this SCI and the one which was adopted in 2011.

The main reason for updating the SCI is the change within the Local Development Scheme which sets out the timescale for Local Plan production; the previous SCI was heavily focused on the preparation of the Kent Minerals and Waste Local Plan 2013-30. As this Plan is now adopted (July 2016), we will begin to undertake work on the minerals and waste sites plans which offer a suite of different community engagement opportunities. The adopted plan consultation process complied with the SCI and was also subject to an equality impact assessment to determine whether it was compliant with quality and diversity legislation. The plans policies were screened and it was concluded that they are unlikely to have a specific, adverse impact on any of the protected groups identified (there were ten in total and are the same as shown above) to any lesser or greater extent than the general population.

Since the last SCI was produced there have also been advances in information technology, its ease of use, customer expectation and its dissemination within the general population. This means that we can consider more efficient and cost effective methods of community involvement. Previously, for example, we would send paper copies of all local plan documents to district council offices and main libraries in Kent for public inspection. This was done with the intention of helping individuals who do not have internet access at home. This exercise proves costly in terms of printing and postage and its environmental impact, as well as officer time. We now know that all district offices and libraries offer a web based service, so customers who do not have access to the internet at home can now view copies online at the relevant office. Paper copies will be held at the main County Council offices at Invicta House in Maidstone. Local plan documents are an important tool setting out where new development can and cannot take place. Their preparation follows a legally prescribed process which is often criticised for the amount of time it takes local plan documents to be produced; in some cases it is a period of many years. One of the reasons for such long gestation periods is the time required for public consultations and the lack of a discretionary approach to tailor periods to the significance of the matter under consideration. The previous SCI set out a standard consultation period of 12 weeks, this being 4 weeks greater than the statutorily required minimum of 8. Whilst it is important to give members of the community ample opportunity to voice their opinions, in the experience of the County Council a period of 8 weeks is usually sufficient. In light of this, it is now proposed to remove the commitment for a set time period for public consultation. The County Council will assess the amount of time needed based on the complexity and the nature of the documentation involved on a case by case basis and ensure that there is a proportionate approach to engagement.

Currently, as well as the statutory requirement to display a site notice allowing comments on a planning application, we undertake discretionary engagement with neighbours in the vicinity of a proposal. The current arrangements are prescriptive of 90m and 250m for proposed community developments and for minerals and waste management respectively. However in practice from the responses that we receive it is often found that distances less than this are justified. It is now proposed that there should be a higher level of officer discretion (with protocols in place to review these consultations to ensure a consistent approach is maintained) regarding neighbour consultation. This has been reflected in the current draft SCI.

The leaflet (Appendix D of the Statement of Community Involvement 2016) which advises residents of the steps involved should they wish to speak at the Planning Applications Committee has been revised. The revised leaflet still provides generous opportunities for the community to speak direct to the committee. The proposed revisions address changes in contact details and clarifies that potential speakers should not provide extensive new material at the Committee stage. This ensures that proper and due consideration can be given to all representations prior to the committee

meeting.

Beneficiaries

Kent communities benefit from having an up-to-date SCI. The communities of Kent will have a better understanding of the consultation processes involved in the next set of local plan projects. The changes between this SCI and the previous one will also make the plan preparation process more efficient without the loss of opportunity for communities to comment and influence planning matters. Efficient plan making and decision making has wider community benefits in that planning is undertaken in the public interest and sets the context for the delivery of sustainable development that is the foundation of sustainable communities.

The County Council will benefit as the changes will reduce costs; both monetarily and in terms of officer time and resources, without losing the opportunity for local community engagement in the planning process.

Information and Data used to carry out your assessment

The SCI revisions have been shaped by views received during the recent determination of planning applications and plan making, government advice and good practice. Since the 2011 SCI, a significant shift towards on-line engagement has occurred and is now the preferred form of communication sought by the community.

Who have you involved and engaged with

Since the last SCI, the County Council has produced and had examined the Kent Minerals and Waste Local Plan 2013-30. This plan has now been adopted. The process involved significant engagement with Kent's communities and businesses. This has greatly informed how the County Council considers how the SCI should be adapted to present day circumstances of enhanced information technology and its greater take up by Kent's communities and groups.

Consultation exercises were carried out for the earlier version of the SCI. All parties in the planning database were given the opportunity to help shape the SCIs. In total, 119 comments were received and their contributions shaped the changes to the original SCI.

This 2016 version of the SCI is essentially an updated and streamlined version of its predecessors. The draft document has been shared internally with all KCC officers, and an IMG approved by the Cabinet Member for Environment and Transport and their comments have been included.

The revised SCI is to be the subject of public consultation. This engagement will raise awareness of the revised SCI and afford an opportunity for the community to comment on the document. Any views raised will be considered prior to adoption of the SCI.

November 2016
Potential Impact

The purpose of the SCI is to ensure that all members of the community are given the opportunity to influence planning applications and local plan documents. The SCI considers the potential challenges to aid full engagement. It sets out any appropriate steps to mitigate any potentially limiting engagement issues.

The potential impacts of the changes to the SCI will have no more of a significant impact on any particular group than they will on the entire population.

Adverse Impact

The updated SCI is unlikely to have a specific, adverse impact on any of the protected groups to any lesser or greater extent than the general population.

Positive Impact:

The updated SCI is unlikely to have a specific, positive impact on any of the protected groups to any lesser or greater extent than the general population.

JUDGEMENT

Our judgement, following the initial screening, is that the Statement of Community Involvement 2016 is unlikely to have any specific adverse or positive impacts upon the identified ten characteristics.

Option 3 – Full Impact Assessment

Prior to the adoption of the SCI, a full impact assessment will be undertaken for the following reasons:

- The SCI is subject to public consultation and will provide an opportunity to review the SCI equality and diversity impacts.

Monitoring and Review

In order to capture and assess any unexpected equality issues arising during public consultation, a further impact assessment will be undertaken post consultation. This will identify the following:

- How the representations were received
- What, if any, equalities impacts arose

November 2016

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: Katie Stewart

Job Title: Director for Environment, Planning & Enforcement

Date: 4th November 2016

DMT Member:

Signed: Barbara Cooper

Job Title: Corporate Director Growth, Environment and Transport

Date: 4th November 2016

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 planned public consultation.	A full EqIA to be undertaken after the public consultation	A summary of participating consultees and any unexpected impacts on the nine proposed characteristics.	Sharon Thompson	Three months following the close of the public consultation.	Officer time.

July 2015

Equality Impact Assessment Action Plan

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Updated 17/10/2016

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