



# **Kent County Council**

**Equality Analysis / Impact Assessment**

**Growth, Environment and Transport Directorate (GET)**

**Statement of Community Involvement**

**Minerals and Waste Planning Policy and**

**Planning Applications –**

**Minerals and Waste Planning and KCC's Community Development**

## GET Document Control

### Revision History

Version	Date	Authors	Comment
V0.1	11 September 2020	Bryan Geake	
V0.2	7 October 2020	Sharon Thompson	
VO.3	13/10/2020	Sharon Thompson	
V1 (this should be assigned to the version the Director signs off)	15/10/2020	Stephanie Holt-Castle	

### Equality Analysis/Impact Assessment (EqIA)

**Directorate/Service:** Growth, Environment and Transport Directorate; Environment, Planning & Enforcement

**Name of decision, policy, policy, procedure or service:** Statement of Community Involvement (SCI) applicable to the preparation of minerals and waste planning policy and Development Management processes for minerals and waste development and Kent County Council's community development

**Responsible Owner/Senior Officer:** Stephanie Holt-Castle, Interim Director Environment, Planning and Enforcement

**Author:** Sharon Thompson, Head of Planning Applications

## **Pathway of Equality Analysis:**

### **Summary and recommendations of equality analysis/impact assessment**

- **Context**

The County Council produces by statute, development plans (commonly known as local plans) for the delivery of mineral resources and waste management required in Kent. The Development Management process is also exercised by the County Council to determine planning applications for minerals and waste management and the County Council's own development. There is a legal requirement on Local Planning Authorities (LPAs) such as the County Council to undertake public consultation on minerals and waste local plans (Town and Country Planning (Local Planning) (England) Regulations 2012) and when determining planning applications (Town and Country Planning (Local Authority Consultation) (England) Order 2018). The Council is statutorily required to produce a Statement of Community Involvement that details how the County Council will carry out these processes. In doing so, it must be certain that such a plan does not have any inherent adverse impacts on persons with a protected characteristic as required by the Equality Act 2010 (Specific Duties) Regulations 2011.

- **Aims and Objectives of the Activity subject to Assessment**

The Statement of Community Involvement (SCI) describes how the public, businesses and interest groups within Kent can get involved in the creation of minerals and waste local planning policy and the planning applications determined by the County Council. In doing so it sets out how such stakeholders can influence how and where related development comes forward. The SCI is therefore essential in ensuring understanding and openness of the planning process by establishing standards of consultation and publicity.



This EqIA has been prepared to comply with the County Council’s statutory obligations to ensure equality impact issues have been properly assessed in the formulation of the SCI.

### Summary of Equality Impact

Adverse Equality Impact Rating: **Low**

### Attestation

I have read and paid due regard to the Equality Analysis/Impact Assessment. I agree with the actions to mitigate any adverse impact(s) that has /have been identified.

Name	Signature	Title	Date of Issue
Stephanie Holt-Castle		Director (Interim)	October 2020
Sharon Thompson		Head of Planning Applications	October 2020

### Part 1 - Screening

**Regarding the decision, policy, procedure, project or service under consideration, could this policy, procedure, project or service, or any proposed changes to it, affect any Protected Group (listed below) less favourably (negatively) than others in Kent?**

Yes – it could impact older age groups less favourably

**Could this policy, procedure, project or service promote equal opportunities for this group?**

Yes by ensuring that community involvement takes place in a manner that doesn’t disadvantage this group

**Screening Grid Analysis**

You ***MUST*** provide a brief commentary as to your findings, or this EqIA will be returned to you unsigned

Protected Group	High Negative Impact	Medium Negative Impact	Low negative Impact	High/Medium/Low Favourable Impact
Age			<p>Impacts on the differing age groups will differ.</p> <p>The SCI's use of internet access and 'social media' sites to share information on planning applications and Development Plan formulation will tend to be more accessible to younger age groups likely to be familiar with these platforms. Older age range cohorts may be less familiar and thus potentially less informed and able to engage. However, this will change with time as the penetration of digital based information continues to increase generationally and with the roll out of even greater internet capacity (e.g. 5G broadband infrastructure is understood as necessary for the UK to remain a competitive, informed and 'responsive to</p>	<p>The effect of the SCI's increased reliance on digital information sharing will have a 'high' favourable impact in the medium to long term as the lower age range cohorts in the population quickly respond to increased digital technology for information gathering.</p> <p>However, there may be an arguably short term 'low' favourable impact on the higher age ranges cohort of the wider population. As this cohort is potentially less familiar with digital formats. Notwithstanding this, it is considered that this will alter through time. Moreover, the revised SCI has inherently greater flexibility to engage with groups. The 'may do' engagement provisions proposed in the SCI will still enable the County Council to share information in more traditional ways (e.g. in writing and in person via meetings) and the material</p>

			change' society by government).	can be made available in alternative forms on request. It is therefore considered that the overall favourable impact rating of is at least 'medium' at this time.
<b>Disability</b>			It is acknowledged that digitally accessible information may be harder for those with certain disabilities – including learning and visual – to access. To mitigate this, the information will be able to be made available in other formats, but will rely potentially on friends, families or carers to identify the interest of the disabled individual in the first place. This however is the same as now. On balance, given a move towards greater digital access is likely to increase people's ability to access the information, and that the information will be provided in such a way as to meet the Government's new digital accessibility standards, the negative impact on disability is considered to be low	The impact on those with physical disabilities we anticipate will be positive as the information will now be available digitally, more readily, and therefore within interested individuals' homes. All of the digital information will be accessible in line with recent Government standards
<b>Sex</b>			Any impacts on individuals of different sex in the community	It is not considered that the SCI's increased reliance on digital formats

			would be no different to impacts on the wider general population.	for the sharing of information will have any material impact on individuals based on sex and thus the favourable impact of the SCI's changes are deemed to be neutral in this regard.
<b>Gender identity/ Transgender</b>			Any impacts on individuals of different gender identity/transgender in the community would be no different to impacts on the wider general population.	It is not considered that the SCI's increased reliance on digital formats for the sharing of information will have any material impact on individuals of different gender identity/transgender in the community based on and thus the favourable impact of the SCI's changes are deemed to be neutral in this regard.
<b>Race</b>			Any impacts on individuals of different race in the community would be no different to impacts on the wider general population.	It is not considered that the SCI's increased reliance on digital formats for the sharing of information will have any material impact on individuals of different racial groups in the community based on and thus the favourable impact of the SCI's changes are deemed to be neutral in this regard.
<b>Religion and Belief</b>			Any impacts on individuals of different religion and belief in the community would be no different to impacts on the wider general population.	It is not considered that the SCI's increased reliance on digital formats for the sharing of information will have any material impact on individuals of different religion and belief in the

				community based on and thus the favourable impact of the SCI's changes are deemed to be neutral in this regard.
<b>Sexual Orientation</b>			Any impacts on individuals of different sexual orientation in the community would be no different to impacts on the wider general population.	It is not considered that the SCI's increased reliance on digital formats for the sharing of information will have any material impact on individuals of different sexual orientation in the community based on and thus the favourable impact of the SCI's changes are deemed to be neutral in this regard.
<b>Pregnancy and Maternity</b>			Any impacts on individuals falling into the category of being within the pregnancy and maternity category in the community would be no different to impacts on the wider general population.	It is not considered that the SCI's increased reliance on digital formats for the sharing of information will have any material impact on individuals within the pregnancy and maternity category in the community based on and thus the favourable impact of the SCI's changes are deemed to be neutral in this regard.
<b>Marriage and Civil Partnerships</b>	Not applicable			
<b>Carer's Responsibilities</b>			Any impacts on individuals who are exercising carer's responsibilities	It is not considered that the SCI's increased reliance on digital formats



<b>ies</b>			in the community would be no different to impacts on the wider general population.	for the sharing of information will have any material impact on individuals within the community who are exercising carer's responsibilities and thus, the favourable impact of the SCI's changes is deemed to be neutral in this regard.
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## **Part 2 - Full Equality Analysis /Impact Assessment**

### **From the screening grid, identify the Protected Groups impacted**

Given that planning for minerals and waste in terms of Development Plan policy formulation and the Development Management process is done in the interests of the whole population, all groups are being represented through these processes pursuant to Regulation 26 (The Town and Country Planning (Local Planning) (England) Regulations 2012) and the Town and Country Planning (Applications) Regulations 1988. The revised SCI meets the consultative and engagement regulatory requirements and has increased inherent flexibility that will enable the County Council to engage with identifiable groups (age in particular) who may arguably be disadvantaged by increased use of digital consultation and engagement.

### **Information and Data used to carry out your assessment**

The SCI 2020 revision has been shaped by views received during the determination of planning applications and the process of plan making, government advice and good practice. Since the publication of the previous SCI in 2014, the shift towards on-line engagement has essentially continued as digital take up by the community has expanded and is now key to communication with the community. The revised 2020 SCI revision reflects this ongoing process.

### **Who have you involved, consulted and engaged with?**

The County Council has produced and had examined the Early Partial Review of the adopted Kent Minerals and Waste Local Plan 2013-30, and the Mineral Sites Plan 2020. Both of which have recently been adopted. The process involved significant engagement with Kent's communities and businesses. This has greatly informed the County Council's knowledge as to how communities engage with the planning processes and how the SCI should be adapted to provide modern and responsive engagement opportunities for planning matters.

Consultation exercises were carried out for the earlier version of the SCI in the lead up to its adoption in 2014. All parties in the planning database at that time, were given the opportunity to help shape the SCIs. The comments received shaped the SCI version adopted in 2014. This 2020 version of the SCI is essentially an updated, streamlined version of its predecessor. Though it contains an important change. This is related to defining what the County Council 'will do', according to the relevant planning regulations, and what it 'may do' in terms of local engagement and consultation beyond the regulatory requirements and understanding of the

minimum level of engagement considered appropriate. This change will introduce an element of flexibility previously absent, enabling the County Council to tailor its engagement and consultation activities according to the circumstances while adhering to the regulatory requirements. The draft revised SCI document has been shared internally with KCC officers and their comments have been included. The draft SCI document is to be the subject of public consultation. This engagement will raise awareness of the draft revised SCI and afford an opportunity for the community to comment on and influence the final document. Any views raised will be considered prior to adoption of the SCI.

## **Analysis**

While it is considered that the revised SCI of 2020 would incur differing impacts on groups depending on their age, under equality legislation, that would essentially be no different to those impacts that would be borne by the wider general population. It is arguably the case that the older age range cohorts in the community may in the short term be to a degree, unfavourably impacted with the SCI's shift to greater use of digital formats for information sharing, consultation and engagement. However other opportunities for this group to engage have also been included in the SCI.

## **Adverse Impact:**

Whilst the SCI's increased reliance on digital means of sharing information will have a 'high' favourable impact in the medium to long term on the lower age range cohorts, there may be a short term 'low' favourable impact on the higher age range cohort, due to potentially lesser familiarity with digital formats. Notwithstanding this, it is considered that this will alter through time. Moreover, the revised SCI has inherently greater flexibility to engage with groups. The 'may do' engagement provisions will enable the County Council to share information in more traditional ways (e.g. in writing and in person via meetings) as necessary and in an accessible format, thus ameliorating the shift to a greater emphasis in digital engagement for groups less familiar with digital technology. Adverse impacts have been identified to those with certain disabilities including learning and visual. These impacts will be ameliorated by material being available in alternative accessible format upon request and digitally accessible in line with recent Government standards.

Therefore, it is considered that the overall favourable impact rating the revised SCI and the greater reliance on digital information sharing is currently thought to be 'medium' and will become 'high' through time.

**Positive Impact:**

The revised SCI of 2020 will have increased flexibility enabling the County Council to tailor its engagement and consultation activities in a more appropriate manner, given society's shift towards greater reliance on technology, while meeting its regulatory obligations to the benefit of all defined groups.

**JUDGEMENT**

It is considered that the SCI 2020 revision is likely to have a largely 'positive' or 'neutral' impact on persons with a protected characteristic. Any 'negative' impacts on older age range cohorts will, through time, reduce to an insignificant level and adverse impacts upon those with certain disabilities including learning and visual, will be ameliorated by material being available in alternative accessible format and digitally accessible in line with recent Government standards. It is considered that the revised SCI of 2020 will help to eliminate discrimination and inequality and foster good community relations.