

Worcestershire Minerals Local Plan

Equality Impact Assessment: Desktop Screening

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1. Introduction

The following information has been adapted from Worcestershire County Council's Corporate Equality and Diversity Team guidance "*HR, Employment Information & Guidance, Equality Impact Assessments*" November 2009

An equality impact assessment (EqIA) is a tool for identifying the potential impact of a council's policies, services and functions on its residents and staff.

We have a legal duty to carry out Equality Impact Assessments to ensure that the services we provide and opportunities we offer fulfil the requirements of anti-discrimination and equalities legislation.

The EqIA process enables us to analyse policies to predict and assess their potential impact on a wide range of people with different needs. It must always begin with an Initial Screening which will show whether any adverse impact is possible and therefore whether a full assessment is needed.

For the purposes of this document, the term "policy" (or "policies") is used as shorthand for 'policies, practices, activities, strategies, plans, procedures, functions and protocols'; therefore the emerging Minerals Local Plan must be assessed for its Equality Impact.

The *Equality Act 2010* introduced a list of what are called "Protected Characteristics". This list includes the six diversity strands (previously defined in equalities legislation). These are:

- Age
- Disability
- Gender
- Race
- Religion or Belief
- Sexual Orientation.

It is important to remember that diversity that exists within these groups, for example different types of disability, differing ethnicity and different religions. People within these diverse groups have individual needs and many will be members of more than one of these groups. Their experience of unlawful discrimination may stem from a variety of factors.

The assessment could highlight one or both of two possible types of impact:

- **A negative or adverse impact** - this happens where the policy could disadvantage people with one or more "protected characteristics".
- **A positive impact** - this occurs where a policy could have a positive impact on people with one or more "protected characteristics".

EqIAs should also be carried out during reviews of and significant changes to existing policies, which must be screened for their equality impact. This will ensure that the Council gives "due consideration" to equality.

2. Desktop Screening

This exercise is not an Equality Impact Assessment. It is a desktop exercise designed to establish whether a full assessment should be carried out.

Part One: basic information needed to identify the policy and prepare for screening

1.1	Directorate and Section/Unit:	Planning Unit – Business, Environment and Community Directorate
1.2	Title or brief description of the policy being screened:	Minerals Local Plan for Worcestershire Development Plan Document (part of the Local Development Framework for Worcestershire).
1.3	Screening by:	Marianne Joynes – Policy Planner
1.4	Date of screening:	16 July 2012
1.5	Related policies/functions:	Other relevant documents which form part of the Local Development Framework will be assessed for their impact on equality. The Waste Core Strategy was screened as part of its development in December 2009. The proposed Local Development Scheme (LDS) has also been screened.
1.6	To which section of the Directorate or Corporate "business/service plan" does this relate?	The Minerals Local Plan is a statutory requirement. It will contribute to the Council's Corporate Priorities of "Open for Business", "Environment" and "Health and Well-being". No BEC business/service plan has yet been prepared.
1.7	Is this a new or existing policy?	The Council already has a Minerals Local Plan. This was adopted in 1997 and contains some 'saved policies' which are used to determine applications for minerals development; additional polices are set out in the Worcestershire County Structure Plan 1996-2011. However following a decision by the

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		<p>Secretary of State in 2007, some of the policies in both the Minerals Local Plan and Structure Plan no longer form part of the development plan for Worcestershire. (This decision was made under the provisions of the Planning and Compulsory Purchase Act 2004)</p> <p>The new Minerals Local Plan will replace the existing Minerals Local Plan and relevant Structure Plan policies but it will set out a new statutory planning policy framework rather than updating or refreshing existing Minerals Local Plan policies.</p>
1.8	<p>Does the policy affect service users, employees, the wider community, or a combination of these?</p>	<p>The policy will affect service users, employees, and the wider community. The principal groups which will be affected are set out below:</p> <ul style="list-style-type: none"> • service users – minerals industry as applicants for planning permission, <ul style="list-style-type: none"> – statutory and other consultees: both in developing the policy and in consultation on planning applications, – the public in developing the policy, in consultation on planning applications and in the determination of applications, • employees – planning officers and other related experts • Members – those on the Planning and Regulatory Committee, <ul style="list-style-type: none"> – those whose wards have mineral resources. <p>The Minerals Local Plan is not intended to directly impact upon "protected characteristics" and is unlikely to affect these groups in relation to "protected characteristics". Documents will be made available in accessible formats in line with the Council's policy.</p> <p>However, it is possible that "protected characteristics" could be affected for some members of the wider community as a result of implementing the Minerals Local Plan:</p> <ul style="list-style-type: none"> • the wider community

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		– people living or working near or visiting areas with mineral resources.
1.9	What are the planned outcomes for this policy?	<p>The Minerals Local Plan will be part of the Development Plan for Worcestershire and will provide a Minerals and Waste Development Framework for the County, the statutory basis for determining applications for planning permission. In particular it will guide minerals development and provide the policies on which Planning decisions will be based.</p> <p>The emerging Minerals Local Plan will provide up to date planning policy regarding the amount of mineral extraction which we need to plan for in Worcestershire over the course of the next 15 years, where it could/should take place, and how sites should be restored, as well as policies to control any potential impacts such as noise, dust, transport impacts.</p>
1.10	Who is formally responsible for the delivery of this policy? If different, who is responsible for leading on the delivery?	<p>Nicholas Dean, Worcestershire County Council Planning Unit.</p> <p>(Cabinet Member – Simon Geraghty)</p>
1.11	What (if any) previous consultation has been carried out for this policy? Who was consulted and when?	<p>This screening assessment is being undertaken at a very early stage of developing the emerging Minerals Local Plan. No consultation has yet been undertaken on it.</p> <p>A 'Consultation Strategy' is being developed for the emerging Minerals Local Plan, taking into account the requirements of the Council's adopted Statement of Community Involvement. It will inform and be informed by the Equality Impact Assessment process.</p>
1.12	Is equality monitoring in place for this policy?	<p>A (statutory) Mineral and Waste Local Development Scheme Annual Monitoring Report (AMR) is produced by the council every financial year. Its purpose is to assess the effectiveness of the Council's planning policies. This report monitors the Statement of Community Involvement (SCI) and other aspects of community involvement. The Council's SCI was examined by the Planning Inspectorate on behalf of the Secretary of State and adopted in 2006.</p>

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		<p>Consultation questionnaires during the preparation of the Waste Core Strategy included an "About You" section to enable this monitoring. This will be included in the consultation questionnaires during the preparation of the Minerals Local Plan.</p>
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Part Two: The purpose of the following exercise is to assess the potential relevance of the policy in the lives of staff and/or residents who have one or more of the following "Protected Characteristics":

Age, Disability, Gender Reassignment, Marriage/Civil Partnership, Pregnancy/maternity, Race, Religion/Belief, Sex and Sexual Orientation.

The questions in this section ask you to consider factors you will need to take into account in making your decision. The answers you provide will help you determine whether you will need to carry out an Equality Impact Assessment.

		Yes	No	Details and comments
2.1	<p>Could this policy have a significant impact on service delivery or other aspects of daily life for people who have any of the Protected Characteristics listed above?</p>	✓		<p>Mineral working is more likely to adversely affect those people who live nearby and do not go out to work, as minerals operations generally take place during the day. This might therefore have a greater impact on older people, children or those with disabilities which mean they spend a greater proportion of time at home than the general population or that they have less personal control over exposure to any adverse impacts. There may be local increases in lorry movements and potential for some noise and dust nuisance.</p> <p>Positive impacts could result from restoration of minerals sites, particularly where restoration includes public access. As we develop the Minerals Local Plan we will consider how to encourage positive outcomes for protected characteristics, such as appropriate consideration for disabled users in public access.</p> <p>We will review this as the Minerals Local Plan is developed</p>

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				and will conduct further assessments if necessary.
2.2	Does the policy involve a significant commitment, or reduction, of resources?		✓	Policy will enable planning applications for minerals development to come forward and will therefore require continued staff and resources similar to current level.
2.3	Does the policy relate to an area where inequalities are already known to exist?		✓	<p>However, minerals are naturally occurring and can only be worked where they are found. This means that some parts of the county will be affected by mineral workings while others will not. Work is being undertaken to determine where mineral resources exist and the Minerals Core Strategy will determine which of these should be worked.</p> <p>We can compare the location of mineral resources with ACORN geodemographic segmentation of the population. This segmentation includes categories such as "affluent greys", "prudent pensioners", "asian communities" and "struggling families". Using this data will help us to determine whether the policy relates to areas where inequalities might already exist.</p> <p>We will review this as the Minerals Local Plan is developed and will conduct further assessments if necessary.</p>

2.4 Is there any evidence of potential or actual unplanned variations in the participation levels or use of the policy between different groups (Existing policies only)?

Characteristic	Yes	No	Details, including what information you have based your answer on
Age			N/A
Disability			N/A
Gender reassignment			N/A
Marriage/Civil Partnership			N/A
Pregnancy/maternity			N/A

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Race			N/A
Religion or belief			N/A
Sexual orientation			N/A
Sex			N/A

Outcome

If the answer to question 2.3 is "yes" or "could be yes" then you **must complete an EqIA**.

For existing policies, if the answer to question 2.4 is "yes" or "could be yes" then you **must complete an EqIA**.

If the answer to questions 2.1 or 2.2 is "yes" or "could be yes" then you may need to complete an EqIA

2.5 Based on the factors above, is an Equality Impact Assessment required for this policy?

Yes	
No	✓

An EqIA is not always needed. Where you have decided that an assessment is not required please clearly summarise the reasons for your decision, including any factors you have taken into account, in the box below. Please then ensure this screening form is signed-off by your line manager and sent to the Corporate Equality and Diversity Team for publication.

EqlA not required: reasons and additional comments

This screening assessment has been undertaken at an early stage in developing the Minerals Local Plan and as such there are no firm proposals to be assessed. This has been discussed with Sandy Bannister, Corporate Equality and Diversity Manager, and this will be kept under review as the Minerals Local Plan is developed.

Signed (completing Officer/Manager): ...Marianne Joynes...

Date: ...16th July 2012..

Signed (Line Manager): ...Nicholas Dean...

Date: ...16th July 2012..