

# Equality Impact Assessment (EIA) Form

## 1. Name of Service Area/Directorate

Name of Head of Service for area being assessed: Kevin Bishop (Lead Development Manager)

Directorate: Economy and Place

Individual(s) completing this assessment: Victoria Eaton (Senior Planning Officer)

Date assessment completed: 13 September 2021

## 2. What is being assessed

Activity being assessed

Preparation of the Minerals and Waste Local Plan (MWLP) – a policy and strategy document and its proposed submission to the Secretary of State for examination in public.
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What is the aim, purpose and/or intended outcomes of this activity?

The Minerals and Waste Local Plan (MWLP) will set out the council's preferred strategy for meeting Herefordshire's minerals and waste needs until 2041.

The vision of the Plan states that it will:

*"...deliver sustainable provision of minerals supply and waste management, balancing development needs whilst supporting the county's communities, protecting and enhancing environmental, heritage and cultural assets and strengthening the local economy."*

The MWLP's strategic objectives are:

#### **A: Social Progress**

1. To enable minerals and waste development to make an appropriate contribution to improve the health, well-being and quality of life of residents, through best practice operations, open space provision, educational and cultural information, green infrastructure and delivery of strategic, landscape scale site reclamation.
2. To prioritise the long-term conservation of primary minerals through enabling provision of sustainable alternatives, effective use of mineral reserves, and promoting efficient use of minerals in new development.
3. To safeguard appropriate mineral and waste resources within Herefordshire and the associated transport infrastructure for the future.
4. To enable the management of waste in accordance with the waste hierarchy and to deliver a circular economy within Herefordshire.

#### **B: Economic Prosperity**

5. To optimise the contribution that mineral working and waste management makes to Herefordshire's economy as land-based industries, balanced with effective protection of people, places and businesses from adverse impacts.
6. To plan for the steady and sustainable supply of minerals present within Herefordshire, to contribute to the county's economic growth, innovation development and energy demands.
7. To deliver new waste management infrastructure to enable Herefordshire to achieve equivalent self-sufficiency and to contribute to the county's economic growth, innovation development and energy demands.
8. To reduce the need to travel and lessen the harmful impacts from traffic growth, promoting the use of alternatives to road transport and ensuring that new development is served by suitable transport networks.

#### **C. Environmental Quality**

9. To identify suitable locations for minerals and waste development.
10. To achieve sustainable communities and protect the environment by delivering well-designed and well-operated minerals and waste developments that use land efficiently, reinforce local distinctiveness, and are supported by the necessary infrastructure, including green infrastructure.
11. To address the causes and impacts of climate change relating to minerals and waste development activity, including using opportunities arising from minerals and waste operation and reclamation activity to mitigate and adapt to climate change and to leave a positive legacy.
12. To conserve, promote, utilise and enjoy our natural, built, heritage and cultural assets for the fullest benefits to the whole community, by: safeguarding the county's current stock of valued heritage and significant environmental assets from loss and damage, and seeking

enhancement; reversing negative trends; ensuring good quality landscape design and condition; delivering site betterment; and appropriately managing future assets.

The outcome of the MWLP is to guide development of minerals and waste sites over the plan period to 2041.

### **Consultations and public engagement**

Engagement with stakeholders (including local minerals and waste planning authorities, organisations such as Natural England, Historic England and the Environment Agency, businesses, parish councils and residents) is a key statutory component in the production of local plan documents. Many elements of how and when this engagement should be conducted are set out in relevant planning regulations and guidance, as well as in local documents such as the Statement of Community Involvement (SCI).

### **Submission of MWLP**

The next step in the production of the MWLP is to submit it to the Secretary of State for examination in public. Once this stage has been completed, Herefordshire Council will be in a position to approve the MWLP for adoption as a final development plan document, guiding minerals and waste related development activities in the county.

Name of lead for activity

Victoria Eaton (Senior Planning Officer)

Who will be affected by the development and implementation of this activity?

- Service users
- Patients
- Carers
- Visitors
- Staff
- Communities
- Other:

Is this:

- Review of an existing activity/policy
- New activity/policy
- Planning to withdraw or reduce a service, activity or presence?

What information and evidence have you reviewed to help inform this assessment?

- Statement of Community Involvement (SCI) – to ensure that consultation events on the MWLP are meaningful, proportionate and effective;
- Equality Diversity Policy;
- Government minerals and waste planning guidance; and
- Statutory and regulatory requirements relating to the production of development plan documents

Summary of engagement or consultation undertaken

The Herefordshire Council is the local planning authority for mineral working and waste management developments in the county. In this role, it is responsible for determining planning applications and also for preparing planning policy for those types of development.

Without the right waste management facilities and adequate supplies of minerals, other sectors of the economy could not function properly. They are essential for the county's development, its low carbon agenda and for maintaining and improving the basic infrastructure of roads, buildings and other facilities. The minerals and waste industries also provide important direct local economic benefits, including jobs.

National policy and legislation on local plan production requires that all local planning authorities must ensure that local communities, stakeholders and interest groups are effectively engaged in consultation. The council, to guide this consultation and engagement, has adopted a Statement of Community Involvement. As well as consulting groups and organisations that are set out in the government guidance, the council keeps a consultation database. Those that have expressed an interest in minerals and waste planning in the county are added to this database and contact at the next consultation stage.

Consultation was undertaken at Issues and Options, Draft MWLP stages in accordance with the SCI.

The last stage of public consultation on the Publication Draft MWLP was undertaken during the period of public restrictions in place to help control the spread of Covid 19. The usual public exhibitions, face to face consultation events and depositing of paper copies of the Plan in local libraries (or other public locations) could not be undertaken. All consultation took place via a dedicated page on the council's website. In order to help explain the MWLP's policies and proposals to as wide an audience as possible, a presentation with voiceover was recorded and made available on the consultation web page and phone numbers of officers were made available if anyone needed additional assistance in taking part in the consultation.

The Publication Draft version of the MWLP and associated documents, which were produced after September 2020, were published in accessible layouts to enable screen readers to be successfully used. For older documents and/or maps or tables that could not be produced in an accessible format, assistance was offered from members of the Forward Planning Team and appropriate contact details were provided, as part of the consultation information.

The Duty to Co-operate was introduced by the Localism Act 2011. Local planning authorities are required to formally co-operate with other local planning authorities and bodies on strategic matters. Meeting the requirements of the Duty to Co-operate is a key part of the plan making process for the MWLP, and Herefordshire Council is working closely with other mineral and waste planning authorities that are critical for the delivery of an effective minerals and waste strategy in Herefordshire.

The next stage in the MWLP's production is for it to be approved by Council for submission to the Secretary of State for examination in public. Following the examination process, the Council can decide whether or not to adopt the MWLP as part of the suite of development plan documents which make up the Herefordshire Local Plan.

## Summary of relevant findings

The MWLP has been prepared following consideration of responses received on the Draft MWLP (Regulation 18) and Publication Draft MWLP (Regulation 19), which took place in 2019 and 2021, respectively.

Reports on the outcomes of the Draft MWLP consultation are available on the council's website and those of the regulation 19 consultation held earlier this year, will be made available in the same way, when the Plan being submitted to the Secretary of State for examination in public (expected end 2021).

Information gathered though the duty to cooperate work has been recorded throughout the Plan process and has been used to refine the Plan. A full, detailed Duty to Cooperate Report will be prepared and made available on the council's website on submission of the MWLP to the Secretary of State for examination.

Were the Plan not to follow the statutory process of being submitted for examination, it could not subsequently be approved as formal part of the Herefordshire Local Plan. The consequence being that there would be no up to date policies guiding minerals and waste developments in the county. This would be contrary to the advice given by the Planning Inspectorate in 2015. To have such a policy void could result in a lack of minerals and/or waste management facilities, or their possible development in unsuitable locations. This could have undesirable implications on all parts of Herefordshire's population, e.g. insufficient supply of aggregates for building, or problems with managing waste produced by the county's inhabitants and businesses.

## 1. The impact of this activity

Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
<b>Age, disability, gender re-assignment, marriage &amp; civil partnerships, pregnancy &amp; maternity, race, religion &amp; belief, sex, sexual orientation, other vulnerable and disadvantaged groups, and health inequalities.</b>	✓	✓	✓	<p>The Minerals and Waste Local Plan policies are unlikely to have a specific impacts on any of the protected groups, to any lesser or greater extent than the general population.</p> <p>The MWLP provides an overarching spatial framework for the whole county and hence does not discriminate against sections of the community.</p> <p>A wide selection of community groups live within the county, therefore, the allocation of minerals and waste management sites does not discriminate against any particular sections of the community. The site selection process takes into account the proximity of sensitive receptors (such as schools and hospitals), thereby helping to minimise the impact on vulnerable sections of the community.</p> <p>Throughout the preparation of the MWLP, the council has consulted a wide cross section of community groups and all consultation material has been deposited at accessible locations (where possible).</p> <p>From consultations undertaken on the MWLP, it has been noted that generally none of the equalities groups have responded. This suggests that minerals and waste planning is relatively secular and</p>

Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
				<p>therefore consultation activity for the MWLP has tended to be with mainstream consultation bodies.</p> <p>To submit the MWLP and continue its production to adoption would be positive for all of Herefordshire's population as there would be appropriate planning policies guiding minerals and waste developments.</p> <p>Not to submit the MWLP for examination would mean that its policies could not be formally adopted. Such a policy vacuum could have negative consequences for all of Herefordshire's population (see above).</p>

### What actions will you take to mitigate any potential negative impacts?

Potential negative impact	Actions required to reduce/eliminate negative impact	Who will lead on action?	Timeframe
Not submitting the MWLP for examination (and thus halting its progress to adoption)	<p>Continuing to follow the advice given by the Planning Inspectorate in 2015, to produce a local plan document dealing with minerals and waste planning matters.</p> <p>Ensuring that the MWLP's production continues in accordance with the statutory framework and in accordance with Herefordshire Council's own formal procedures.</p>	Strategic Planning section of Herefordshire Council	<p>Submission – end 2021</p> <p>Examination and Adoption - 2022</p>

Where an impact on any of the Equality Groups is realised after the implementation of the project/service/policy, the commissioners and/or providers of the project/service/policy will seek to minimise the impact and carry out a full review of this EIA.

## 2. Monitoring and review

How will you monitor these actions?

The Council will seek to ensure the MWLP's development will continue within the statutory framework set out for the production of development plan documents of this kind.
The Statement of Community Involvement is being updated and any future consultations required prior to the formal adoption of the MWLP will be carried out in accordance with this revised and updated version.
The MWLP contains an implementation and monitoring section, which sets indicators and targets to monitor the effectiveness of the policies.
The minerals and waste needs assessment which underpin the MWLP, will be updated regularly, as a systematic check on the Plan's progress.
The Local Aggregate Assessment, which also informs the Plan, on whether there is a steady and adequate supply of minerals, will be updated annually.
Should any development be proposed for minerals or waste development, the 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).

When will you review this EIA?

Since it is anticipated that the MWLP will be adopted in 2022, it is considered unnecessary to review this EIA before that time.
However, a new EIA will be produced during the production of future development plan documents providing other (non-minerals and waste related) planning policy guidance across the county.

### 3. Equality Statement

- All public bodies have a statutory duty under the Equality Act 2010 to set out arrangements to assess and consult on how their policies and functions impact on the 9 protected characteristics.
- Herefordshire Council will challenge discrimination, promote equality, respect human rights, and design and implement services, policies and measures that meet the diverse needs of our service, and population, ensuring that none are placed at a disadvantage over others.
- All staff are expected to deliver services and provide services and care in a manner which respects the individuality of service users, patients, carers etc, and as such treat them and members of the workforce respectfully, paying due regard to the 9 protected characteristics.

Signature of person completing EIA

Victoria Eaton
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Date signed

13 September 2021
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