

Essex County Council and Southend-on-Sea Borough Council Replacement Waste Local Plan: Pre-submission Draft

Equality Impact Assessment

December 2015



Equality Impact Assessment

Context

1. under s.149 of the Equality Act 2010, when making decisions, Essex County Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - gender and sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. The EqIA will be published at:
<http://cmis.essexcc.gov.uk/essexcmis5/BusinessManager.aspx>
8. All **Cabinet Member Actions, Chief Officer Actions, Key Decisions** and **Cabinet Reports must be** accompanied by an EqIA.
9. For further information, refer to the EqIA guidance for staff.
10. For advice, contact:
Shammi Jalota shammi.jalota@essex.gov.uk
Head of Equality and Diversity
Corporate Law & Assurance
Tel 0330 134592 or 07740 901114



Section 1: Identifying details

Your function, service area and team: Minerals and Waste Planning, Planning and Environment, Place Operations

If you are submitting this EqlA on behalf of another function, service area or team, specify the originating function, service area or team: NA

Title of policy or decision: Replacement Waste Local Plan: Pre Submission Draft

Officer completing the EqlA: Rebecca Rushmer Tel: 0333 013 6818 Email: rebecca.rushmer@essex.gov.uk

Date of completing the assessment: 1 December 2015

Section 2: Policy to be analysed

2.1	Is this a new policy (or decision) or a change to an existing policy, practice or project? Update to an existing policy
2.2	<p>Describe the main aims, objectives and purpose of the policy (or decision): The Pre-Submission Draft sets out the policy framework for waste planning across the Plan area of Essex and Southend-on-Sea including where waste development will occur for the period to 2032. This document follows the Revised Preferred Approach (2015), Preferred Approach (2011) and Issues and Options (2010) consultations where views were sought on a range of issues and sites to ensure sufficient capacity of waste management facilities in Essex and Southend-on-Sea. The Pre-Submission Draft sets out what approaches to take in terms of the Core Strategy, Development Control Policies, Areas of Search, locational criteria and Site Allocations.</p> <p>What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? The Pre-Submission Draft document is a stage of preparation needed in order to produce and adopt a sound Waste Local Plan. A six-week public engagement will be carried out on the Pre-Submission Draft under regulation 19 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2012 before an Examination in Public determines the document is 'sound' and approved for adoption. Once adopted, the Replacement Waste Local Plan will replace the existing Waste Local Plan 2001. Carrying out public engagement on the Pre-Submission Draft will allow us to move forward with the plan production process.</p>
2.3	<p>Does or will the policy or decision affect:</p> <ul style="list-style-type: none">• service users• employees• the wider community or groups of people, particularly where there are areas of known inequalities? <p>Yes - the information and the engagement procedures carried out on this document</p>

	<p>will effect services users, industry, stakeholders and the wider community of Essex in general.</p> <p>Will the policy or decision influence how organisations operate? Yes - the document sets out the policies and strategy for waste management which will ultimately affect the determination of future waste planning applications. Waste site operators submitting waste planning applications and the wider expectations of community groups will therefore be effected.</p>
2.4	<p>Will the policy or decision involve substantial changes in resources? No.</p>
2.5	<p>Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes?</p> <p>The Waste Local Plan is a statutory development plan and the County Council, as Waste Planning Authority (working in partnership with Southend Borough Council) has a legal requirement to keep the plan up to date. The plan will guide waste development and seek to protect the environment. In doing so it will contribute towards the following Corporate Policies and Strategies, and respective themes.</p> <p>Vision for Essex 2013 – 2017. The Vision for Essex sets out the core purpose and key challenges for Essex to:</p> <ul style="list-style-type: none"> • develop and maintain the infrastructure that enables our residents to travel and our businesses to grow; • support employment and entrepreneurship across our economy; • keep our communities safe and build community resilience; and • respect Essex's environment. <p>By supporting the provision of key infrastructure in a manner that protects the environment, The Waste Local Plan is contributing towards this document.</p> <p>In February 2014 ECC adopted the Outcomes Framework for Essex (2014 – 2018) - a statement of seven outcomes that set out ECC's ambition based on its Vision for Essex 2013-17. The outcomes that are specifically relevant to this Local Plan consultation include:</p> <ul style="list-style-type: none"> • Sustainable economic growth for Essex communities and businesses; • People in Essex experiencing a high quality and sustainable environment. <p>These are set out in more detail within the Council's Commissioning Strategies. It is noted that the CCGs, which have a significant role in persons health, well-being and independence, have been engaged as prescribed bodies under the duty to co-operate in the preparation of the Replacement Waste Local Plan.</p> <p>The outcomes reflect ECC aspirations for Essex residents and communities, guiding action in the short, medium and long term hence the importance of ensuring the outcomes and strategies inform emerging spatial policy. Waste development supports sustainable growth and the Waste Local Plan will ensure any impacts on the communities of Essex are managed.</p> <p>The Essex Minerals and Waste Development Scheme May 2015 sets out the agreed timetable, key milestones and resources to produce the Waste Local Plan. The timetable sets out when the Pre-Submission Draft engagement is to take place and anticipates adoption by the end of 2016.</p>

Essex Statement of Community Involvement (SCI) 2015 sets out the methodology for consultation and engagement on the Waste Local Plan and has been approved by ECC's Cabinet (September 2015). The SCI stipulates the minimum expectations around the engagement on the Pre-Submission Draft in accordance with the National Planning Policy Framework and test of soundness, and sets out the principles and processes.

Essex Economic Growth Strategy, September 2012 sets out EEC's economic vision and how this may be delivered. The proposals in the EGS are designed to achieve five objectives of which the following two are considered most relevant:

- Essex businesses are enabled and supported to be more productive, innovate and grow thereby creating jobs for the local economy;
- Securing the highways, infrastructure and environment to enable businesses to grow.

Associated Southend Borough Council supporting documents:

Southend Community Strategy (2010)

Southend Borough Council Corporate Priorities 2015-16

Southend Local Development Scheme (2015)

Southend Statement of Community Involvement (2013)



Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	What does the information tell you about those groups identified? The Pre-Submission Draft is produced to aid the wider Essex and Southend community and will affect the protected characteristic groups equally.
3.2	Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision? No - see 3.3 below
3.3	If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary: A six-week public engagement will be carried out on this document. The engagement will be publicised via letters/emails to stakeholders/industry/businesses/those residing within 250 metres of a proposed site, a poster campaign, the ECC website and a public notice in county-wide newspapers.

¹ Data sources within EEC. Refer to Essex Insight:
<http://www.essexinsight.org.uk/mainmenu.aspx?cookieCheck=true>
with links to JSNA and 2011 Census.



Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	<p>Adverse - Old age combined with disability, limited income or limited mobility could make it difficult to view the engagement documents.</p> <p>The elderly may not be familiar with or may face obstacles when using electronic methods of communication to view the documents and respond to the engagement.</p>	M
Disability	<p>Adverse - Depending on the nature of the disability, those in this category may have difficulty in reading the document and its associated engagement material. Those with disabilities may also have issues with hearing/speaking at any events associated with the Pre-Submission Draft engagement or in accessing venues for engagement events.</p>	H
Gender	Neutral - no perceived negative impact	L
Gender reassignment	Neutral - no perceived negative impact	L
Marriage/civil partnership	Neutral - no perceived negative impact	L
Pregnancy/maternity	Neutral - no perceived negative impact	L



Race	<p>Adverse - Engagement methods (viewing letters, publicity, documents and responding) are based around a good understanding of written English. Without this understanding letters run the risk of being ignored and the opportunity for involvement lost.</p> <p>Adverse - Certain methods of engagement also require a good command/understanding of spoken English to secure awareness and involvement - for example attending any public meetings, workshops or drop-in sessions. Spoken information could be missed or misunderstood if information is relayed too quickly or in a complex way.</p>	M
Religion/belief	Neutral - no perceived negative impact	L
Sexual orientation	Neutral - no perceived negative impact	L
Cross-cutting themes		
Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Socio-economic	<p>Adverse - There could be issues viewing engagement documents and responding online for those without internet access at home. The cost of travelling to view engagement material and attend associated events could also be an issue for some people.</p> <p>Adverse - various issues could arise for this group due to the location of the waste sites themselves.</p>	H



<p>Environmental, eg housing, transport links/rural isolation</p>	<p>Poor transport links could affect attendance at engagement meetings/events and viewing documents at inspection locations.</p> <p>Rural areas of the county with poor broadband connections could hinder those wishing to use the internet to view information and respond.</p> <p>Waste sites are often situated in rural areas which could mean such areas are effected by noise, dust emissions, light pollution and any health issues associated with such sites.</p>	<p>M</p>
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Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqlA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No <input type="checkbox"/>	
		Yes <input checked="" type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.



Section 6: Action plan to address and monitor adverse impacts

What are the potential adverse impacts?	What are the mitigating actions?	Date they will be achieved.
<p>Age - the elderly could face issues when accessing engagement information and using electronic communications</p>	<p>Paper copies of the main engagement document and its accompanying summary document are to be made available to view at Essex and Southend libraries, Essex district/borough/city councils, at County Hall in Chelmsford and at Civic Centre in Southend during office hours. This significant undertaking ensures access to paper copies to the great majority of the County's population.</p> <p>Those who cannot travel to view the documents at libraries and local councils but have the internet can access the documents at any time via the online portal.</p> <p>Home and library computers have the facility to increase the font size of documents as well as adjust the brightness of the screen so to be seen clearer. Library computers also include magnification and narrator options.</p> <p>The team's duty phone help line is available during working hours, where officers are available to answer any questions about the Pre-Submission Draft and its associated documents.</p> <p>People can respond to this waste engagement via post if email and online responses are not an option.</p> <p>Print on demand engagement documents would be considered for those with absolutely no access whatsoever to the information.</p>	<p>Already carried out and will continue to do so</p>



<p>Disability - The disabled could face obstacles with reading or hearing engagement information as well as speaking at and attending engagement meetings/events</p>	<p>Engagement documents and information are available in alternative formats such as large print, Braille, audio tape etc.</p> <p>Home and library computers all have the facility to increase the font size of documents as well as adjust the brightness of the screen so to be seen clearer. Library computers also include magnification and narrator options.</p> <p>Hearing loops are either built into rooms or can be provided on request during any Pre-Submission Draft engagement meetings and events.</p> <p>ECC and SBC only use Disability Discrimination Act (DDA) compliant venues for consultation/engagement meetings/events.</p>	<p>Already carried out and will continue to do so</p>
<p>Race - Those without a good understanding of written and spoken English or first language is not English could be disadvantaged when becoming involved with the engagement</p>	<p>The Pre-Submission Draft will be accompanied by a summary document, which is a plain English, non-technical document.</p> <p>We ensure engagement letters, documents and public notices adhere to ECC and SBC's principles of clarity and brevity.</p> <p>ECC offers a translation/interpretation service at an appropriate level for all its documents.</p>	<p>Already carried out and will continue to do so</p>



<p>Socio-economic - Those without the internet at home and/or unable to afford the cost of travel to attend any engagement meetings/events could struggle to view and respond</p> <p>Issues with locations of waste sites.</p>	<p>Paper copies of the main engagement document and its accompanying summary document are to be made available to view at Essex and Southend libraries, Essex district/borough/city councils, at County Hall in Chelmsford and at the Civic Centre in Southend during office hours. This significant undertaking ensures access to paper copies to the great majority of the County's population.</p> <p>Free internet access and assistance to use this service is provided by all Essex libraries so that engagement documents can be viewed online by all.</p> <p>Venues for any engagement events are selected for ease of access by both car and public transport.</p> <p>The Pre-Submission Draft has been subject to a sustainability appraisal which includes objectives relating to social and economic issues e.g. To maximise opportunities for economic development.</p>	<p>Already carried out and will continue to do so</p>
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Environmental (Transport and rural areas) - Poor transport links and those living in rural areas with poor broadband could find it difficult to view engagement material, respond and/or attend meetings/events.

Issues of adverse impacts on those living near the proposed waste sites

Essex as a county is currently undergoing a faster broadband project with much of the county already seeing improvements.

The Pre-Submission Draft and its accompanying documents are not only going to be available online - Paper copy 'main' consultation documents are to be made available at Essex libraries, district/borough/city councils and at County Hall in Chelmsford to view during office hours. This means those living in rural areas will never be far from the information they require.

Sites have been chosen with regard to their environmental and social acceptability by avoiding imposing any unacceptable adverse impacts on public health and safety, amenity, the environment, local community or highways. Criteria in the site selection methodology took into account the proximity of any residential properties and sensitive uses to the proposed sites.

The assessment of the sites has been followed through into the site requirements at the Pre-Submission stage.

Such issues would also be considered in more detail at the planning application stage when an application would be subject to an Environmental Impact Assessment.

Policy 23 contains mitigations for the potential adverse communities by setting out criteria for development management. These criteria require developers to evidence that development does not have an unacceptable impact with regard to noise levels, air quality, dust emissions, light pollution and vibration; as well as the general health of the population adjoining to the site.

The Pre-Submission Draft has been subject to a sustainability appraisal which includes objectives relating to social and economic issues e.g. To maximise opportunities for economic development





Section 7: Sign off

**I confirm that this initial analysis has been completed appropriately.
(A typed signature is sufficient.)**

Signature of Head of Service: Graham Thomas

Date: 16/12/15

Signature of person completing the EqlA: Rebecca Rushmer

Date: 01/12/15

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqlA you undertake to the director responsible for the service area. Retain a copy of this EqlA for your records. If this EqlA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.

