

Minerals and Waste Policies and Allocations Document 'Draft Plan'

Equality Impact Assessment

September 2021

Altogether better



Durham County Council Equality Impact Assessment

NB: The Public Sector Equality Duty (Equality Act 2010) requires Durham County Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people from different groups. Assessing impact on equality and recording this is one of the key ways in which we can show due regard.

Section One: Description and Screening

| | |
|-------------------------------------|------------------------|
| Service/Team or Section | Spatial Policy Team |
| Lead Officer | Mike Allum |
| Title | Spatial Policy Manager |
| MTFP Reference (if relevant) | N/A |
| Cabinet Date (if relevant) | September 2021 |
| Start Date | June 2021 |
| Review Date | Post consultation |

Subject of the Impact Assessment

Please give a brief description of the policy, proposal or practice as appropriate (a copy of the subject can be attached or insert a web-link):

The Minerals and Waste Policies and Allocations document (M&WDPD) is a Development Plan Document (DPD). It is part of a requirement set out in the County Durham Plan (CDP)(2020) and fulfils its roll to complement and add value to the CDP by providing further details to supplement the objectives and strategic policies already present in the CDP.

Once adopted following several stages of consultation and an examination by an independent Inspector, along with the County Durham Plan and any 'made' (adopted) Neighbourhood Plans it will form part of the statutory development plan for County Durham. It will then, together with the provisions of the County Durham Plan provide the decision-making framework for the determination of all planning applications for the minerals and waste development in County Durham.

Upon adoption it will also replace the remaining saved policies of the County Durham Minerals Local Plan (December 2000) and the County Durham Waste Local Plan (April 2005). The remaining saved policies of these plans are currently listed in Appendix B of the County Durham Plan.

The Draft Plan of the M&WDPD seeks to complement the provisions and policies of the County Durham Plan which was adopted in October 2020. The County Durham Plan sets out the councils overarching strategy for the development and use of land in County Durham to 2035. It also sets out the spatial vision and strategic objectives for future development of the county, including minerals and waste development. The County Durham Plan contains policies and site allocations to deliver these objectives upon which planning applications will be determined including fourteen strategic and one non-strategic policies for minerals and waste.

. The M&WDPD still shares the same key elements, visions and strategic policies. The Policy Framework and additional non-strategic objectives of the M&WDPD sit within the overarching strategic objectives of the CDP.

- It seeks to provide a number of complementary minerals and waste development management policies assist in the control of mineral, landfill and landraise developments including specific policies on noise, dust, vibration and the restoration and after-use of mineral sites, landfill and landraise sites. It includes policies related to the manufacturing, processing and storage of minerals (which the M&WDPD seeks to restrict to quarry locations to minimise environmental harm), the transport of minerals including road to rail transhipment facilities, borrow pits (which are temporary mineral workings to serve specific construction projects which are well related to the construction project and a policy detailing the benefits of minerals development).
- The M&WDPD provides the policy framework for some types of waste management operations development which were only addressed by the County Durham Plan at a strategic level such as inert and non-hazardous waste landfill (both of which can only occur at existing or former quarries) and the use of inert waste for recovery operations such as for ecological or agricultural benefit in accordance with the EU Waste Framework Directive.
- The M&WDPD provides the policy framework for a number of economically important minerals not addressed by the strategic minerals policies of the County Durham Plan but where future planning applications cannot be discounted such as for conventional and unconventional oil and gas, silica sand, vein minerals and Lithium
- Where needed and justified further allocations for mineral working and waste development will be made within the M&WDPD.

This equality impact assessment will be continually reviewed and updated as the M&WDPD develops.

Who are the main stakeholders? (e.g. general public, staff, members, specific clients/service users):

Anyone who lives in, studies in, works in, visits, or has an interest in County Durham may be interested in the M&WDPD. This includes the general public, anyone previously interested in local plan consultations and included on our database, council staff, Elected Members, developers and landowners, various partners, stakeholders from various sectors and interest groups or communities, Area Action Partnerships, Town/Parish Councils, Neighbourhood Forums and statutory consultees / prescribed bodies as defined by the Government.

Screening

Is there any actual or potential negative or positive impact on the following protected characteristics?

| Protected Characteristic | Negative Impact Indicate: Y = Yes, N = No, ? = unsure | Positive Impact Indicate: Y = Yes, N = No, ? = unsure |
|--|---|---|
| Age | N | N |
| Disability | N | N |
| Marriage and civil partnership (workplace only) | N | N |
| Pregnancy and maternity | N | N |
| Race (ethnicity) | N | N |
| Religion or Belief | N | N |
| Sex (gender) | N | N |
| Sexual orientation | N | N |
| Transgender | N | N |

Please provide **brief** details of any potential to cause adverse impact.
Record full details and analysis in the following section of this assessment.

The six additional non-strategic objectives sit within the CDP, which has considered these objectives to be relevant for the policies within the M&WDPD.

The CDP has already undergone a full EQUIA and with no issues regarding the objectives and policies relevant to the M&WDPD. Therefore, the council is not currently aware of any likely impact on arising as a result of the preparation of the M&WDPD on protected characteristics. In line with its ongoing duties to consider equalities impacts, if the council becomes aware of such an impact, the council will fully consider any such change of circumstances.

How will this policy/proposal/practice promote our commitment to our legal responsibilities under the public sector equality duty to:
eliminate discrimination, harassment and victimisation,
advance equality of opportunity, and
foster good relations between people from different groups

The CDP and SCI are over-arching documents for this M&WDPD.
The nature of this document means that there are no identified negative or positive impact on the public in general, including all protected characteristics.
This document and EQUIA will be reviewed as appropriate.

Evidence

What evidence do you have to support your findings?
Please **outline** your data sets and/or proposed evidence sources, highlight any gaps and say whether or not you propose to carry out consultation. Record greater detail and analysis in the following section of this assessment.

The County Durham Plan <https://www.durham.gov.uk/media/34069/County-Durham-Plan-adopted-2020-pdf/CountyDurhamPlanAdopted2020vDec2020.pdf?m=637424969331400000> aims to improve the county its communities, economy and environment to make County Durham a successful place. It aims for equality of opportunity across all equality protected characteristics and identifies actions to eliminate inequality such as issues. The M&WDPs policies and allocations complement and add value to the fourteen strategic and one non-strategic minerals and waste policies of the County Durham Plan and will be used in association with other relevant County Durham Plan policies. The overall intent is to assist in ensuring that society's needs for minerals and waste management can be met whilst also ensuring that there are no unacceptable adverse impacts on the environment, human health, or the amenity of local communities.

A full EQUIA was taken out on all stages of the CDP document (CDP evidence base (C9) <https://durhamcc-consult.objective.co.uk/kse/folder/52317>). It did not raise issues in relation to the County Durham Plan objectives related to minerals and waste (Objective 20: Supply of Minerals and Objective 21: Waste and the fourteen strategic and one non-strategic policies for minerals and waste within the County Durham Plan. The council is not currently aware of any likely positive or negative impact arising as a result of the preparation of the M&WDPD on the protected characteristics. This judgement is made considering the findings of an

initial assessment of this document and the equality impact assessment which was undertaken on the County Durham Plan Management. It is therefore considered that a full EQUIA assessment is not necessary for this document at this time.

Consultation update

An initial stage of consultation has already taken place as a scoping exercise for the document. An EQUIA was not necessary for this stage.

The Draft Plan is now at the second stage of consultation that the Council is undertaking on the emerging County Durham Minerals and Waste Policies and Allocations document (M&WDPD). Initial consultation on the scope of the M&WDPD and a call for new minerals and waste sites were undertaken in January 2021, see here: <https://consult-durhamcc.objective.co.uk/kse/event/35975/section/> and here: <https://consult-durhamcc.objective.co.uk/kse/event/35973/section/>.

All consultation is being undertaken under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and in accordance with the Council's Statement of Community Involvement regarding consultation on Plan documents. The Council's Statement of Community Involvement was reviewed and updated in 2019 to reflect the Covid 19 pandemic. It seeks to provide real opportunities for all to be involved in all aspects of planning, from plan making to the determination of planning applications. This includes treating some people more favourably to avoid disadvantage. A full EQUIA was also carried out on the updated Statement of Community Involvement to reflect the Covid-19 related changes.

In line with its ongoing duties to consider equalities impacts, if the council becomes aware of any such positive or negative impact on any protected characteristics, the council will fully consider any such change of circumstances.

Screening Summary

| On the basis of this screening is there: | Confirm which refers (Y/N) |
|--|----------------------------|
| Evidence of actual or potential impact on some/all of the protected characteristics which will proceed to full assessment? | N |
| No evidence of actual or potential impact on some/all of the protected characteristics? | Y |

Sign off

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|--|--------------|
| Lead officer sign off: Spatial Policy Team Leader 6 | Date:12.7.21 |
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|--|--------------|
| Service equality representative sign off: Equality and Diversity Officer | Date:12.7.21 |
|--|--------------|

If carrying out a full assessment please proceed to section two.

If not proceeding to full assessment please return completed screenings to your service equality representative and forward a copy to equalities@durham.gov.uk

If you are unsure of potential impact please contact the corporate research and equalities team for further advice at equalities@durham.gov.uk

Section Two: Data analysis and assessment of impact

Please provide details on impacts for people with different protected characteristics relevant to your screening findings. You need to decide if there is or likely to be a differential impact for some. Highlight the positives e.g. benefits for certain groups, advancing equality, as well as the negatives e.g. barriers for and/or exclusion of particular groups. Record the evidence you have used to support or explain your conclusions. Devise and record mitigating actions where necessary.

| Protected Characteristic: Age | | |
|--|---|---|
| What is the actual impact or potential impact on stakeholders? | Record of evidence to support or explain your conclusions on impact | What further action mitigation is required? |
| | | |

| Protected characteristic: Disability | | |
|--|---|---|
| What is the actual impact or potential impact on stakeholders? | Record of evidence to support or explain your conclusions on impact | What further action mitigation is required? |
| | | |

| Protected Characteristic: Marriage and civil partnership (workplace only) | | |
|--|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| | | |

| Protected characteristic: Pregnancy and maternity | | |
|--|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| | | |

| Protected Characteristic: Race (ethnicity) | | |
|---|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| | | |

| Protected Characteristic: Religion or belief | | |
|---|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| | | |

| Protected Characteristic: Sex (gender) | | |
|---|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| | | |

| Protected Characteristic: Sexual orientation | | |
|---|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| | | |

| Protected characteristic: Transgender | | |
|---|--|--|
| What is the actual or potential impact on stakeholders? | Explain your conclusion considering relevant evidence and consultation | What further action or mitigation is required? |
| | | |

Section Three: Conclusion and Review

Summary

Please provide a brief summary of your findings stating the main impacts, both positive and negative, across the protected characteristics.

Will this promote positive relationships between different communities? If so how?

Action Plan

| Action | Responsibility | Timescales for implementation |
|--------|----------------|-------------------------------|
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Review

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| Are there any additional assessments that need to be undertaken? (Y/N) | Y on going review throughout the consultation |
| | |

Sign Off

| | |
|--|-------|
| Lead officer sign off: Spatial Policy Officer, Spatial Policy Team | Date: |
| Service equality representative sign off: Equality and Diversity Officer | Date: |

Please return the completed form to your service equality representative and forward a copy to equalities@durham.gov.uk