

APPENDIX C:

West of England Joint Waste Core Strategy Equality Impact Assessment Report

1. Background

- 1.1 Equality Impact Assessments (EqIA) are required in law by the [Race Relations \(Amendment\) Act 2000](#), [Disability Discrimination Act 2005](#) and [Equality Act 2006](#). All Local Authorities have a statutory duty to conduct and publish the outcomes of race, disability and gender EqIAs for all its functions, policies and services.
- 1.2 The purpose of an equality impact assessment is to improve the work of Public Authorities, they can be used to make sure that discrimination does not take place and to promote equality wherever possible.
- 1.3 Equality impact assessments are an objective way of considering both new proposals and current ways of working to:
 - make sure that policies and services meet the needs of the public
 - ensure that staff and customers are treated fairly and not discriminated against
 - identify and address real or potential inequalities resulting from policy and practice development
 - meet legal duties to eliminate discrimination and promote equality
 - work continuously to improve services
- 1.4 The emerging South West Regional Spatial Strategy requires Authorities to undertake an EqIA when developing planning policy. As part of the plan-making process the Partnership authorities have consulted with stakeholders to ensure engagement with customers and those affected by policies, as required by EqIAs. Best practice advises that all equality dimensions (race, gender, disability, religion/belief, age, sexual orientation) are reviewed in parallel.
- 1.5 This EqIA has been undertaken jointly by the four unitary authorities of the West of England Partnership to ensure there are no inequalities resulting from the development of policies within the Joint Waste Core Strategy (JWCS). The EqIA supports the JWCS Submission Document, which has also been informed by a Sustainability Appraisal, designed to improve draft policies from a social, environmental and economic perspective.

2. Aims of the Policy

- 2.1 The primary aims of the Joint Waste Core Strategy are to ensure that sufficient waste infrastructure is provided to meet the requirements of the West of England and to divert as much waste as possible away from

landfill.

2.2 The JWCS contains the waste planning strategy for the West of England, addressing the planning aspects of waste prevention, recycling/composting, recovery and disposal. It relates to waste from municipal, commercial, construction, demolition and other sources. It provides a positive, strategic, spatial planning framework for:

- Locating the development of strategic residual waste treatment facilities
- Directing the development of facilities for recycling, composting, transfer of wastes and waste disposal
- Ensuring consistency of development management policy for waste within the sub-region.

2.3 The aims of the JWCS are consistent with other policy objectives of the local authorities including; aspirations in Sustainable Community Strategies; Climate change policies, the Joint Municipal Waste Management Strategy and the emerging Core Strategies.

3. Who will benefit from the Plan

3.1 The JWCS meets the needs of the public, businesses, Councils, and Utility Companies. Main beneficiaries are the waste facility operators and commercial / industrial companies and the Public and Local Authorities as consumers.

4. The Process of Developing the Plan

Who defines the policy?

4.1 The preparation of development plan documents is a statutory process. The Planning & Compulsory Purchase Act 2004 introduced a new approach to land use planning, local plans and structure plans have been replaced by the requirement for a framework of Local Development Documents.

4.2 The Joint Waste Core Strategy is a development plan document that has been prepared jointly by the unitary authorities in the West of England and sits within the Local Development Frameworks of each authority. The adoption of planning policies is a formal process regulated by legislation.

How does the local authority interface with other bodies in relation to the implementation of this policy function?

4.3 The JWCS is being prepared jointly by the four authorities. Monitoring of the JWCS will also be undertaken jointly to ensure the implementation of the spatial strategy.

Are there any areas of the policy or function that are governed by discretionary judgement or judgement?

4.4 The use of policies in development management is highly regulated but includes elements of judgement. Therefore the policies contained within the JWCS provide a clear framework for Planners (development management) in assessing and determining planning applications for waste facilities.

5. Consultation Process

5.1 Extensive consultation has been carried out as part of the plan making process. The approach has been consistent with proposals set out in Statements of Community Involvement and have adhered to requirements set out in the Town and Country Planning and Compulsory Purchase Act 2004, (2008 regulations), and Planning Policy Statement 12 (PPS12).

5.2 The Partnership authorities have undertaken several stages of consultation and ongoing public engagement that has informed the preparation of the JWCS Submission Document and the formulation of policy. The 'West of England Joint Waste Core Strategy consultation statement, September 2009', gives an overview of this process.

5.3 Throughout the plan-making process the Partnership Authorities have consulted the Public, statutory stakeholders, community groups, voluntary groups, recycling organisations, environmental groups, and the development industry. A wide-range of cross-section of community groups were consulted these include; Access-ability, Adult community care, Age Concern, BME groups, Religious groups, and Gypsy and Traveller representatives.

5.4 Consultation documentation was made available in accessible locations, public libraries, one stop shops and Council Offices, as well as being accessible on-line. Different formats of documentation could be requested. Workshops and public drop- in sessions were co-ordinated across the West of England, and advertised in local press that covered the plan area.

5.5 The JWCS includes a policy that allocates sites as potential locations for residual waste treatment facilities. The locations for the drop in sessions were chosen to be near to where potential sites for residual waste treatment facilities could be located. As part of the consultation and subsequent on going public engagement, progress updates including information on the technical reports and evidence base that supported the inclusion of specific sites were made available on –line. Consultees and stakeholders were notified via email or written to at each stage of consultation or as progress updates became available.

- 5.6 Alongside the co-ordinated approach across the Partnership authorities, individual authorities also engaged locally with Parish Councils, Town Councils and local community groups or neighbourhood partnerships, in particular where potential locations for waste treatment facilities were being considered.
- 5.7 At no stage in the plan preparation process have the Partnership authorities been informed of any evidence that suggests particular groups have been adversely affected, prejudiced or disaffected through consultation activity. All efforts have been made by the Partnership authorities to ensure the consultation activity is inclusive, accessible and undertaken in accordance with statutory requirements.
- 5.8 The development of the JWCS considered the outcomes of consultation which highlighted concern from some members of the public on the potential impacts of residual waste treatment facilities on amenity and communities. In some instances this information together with further technical work led to revisions to the list of sites recommended for inclusion as potential locations for residual waste treatment facilities. In other instances it was felt that concerns regarding impacts on amenity and communities would be most appropriately addressed at the planning application stage when more detailed proposals were known.

6. Assessment of Impact

- 6.1 The EqIA has considered if there are any particular needs relevant to policy in the JWCS that could discriminate or disadvantage any person or groups of people. Table 1.1 summarises any particular needs or potential adverse impacts for each of the six equalities groups (as defined and required by Government guidance).

Table 1.1 Assessment of Impact.

Equality strand	Particular needs relevant to policy in the JWCS	Adverse impacts identified
Gender (include Transgender)	None	None
Disability	<p>None:</p> <p>Consultation responses from an accessibility group reiterated the importance of making all information distributed to the general public available in different formats during the plan-making process.</p> <p>Accessibility to non-residual facilities was also raised during the consultation process and it is acknowledged that this would most appropriately be dealt with at the planning application stage, where the design and layout of the facility will</p>	None

	need to demonstrate consideration of accessibility issues.	
Age	<p>None:</p> <p>It is acknowledged that the general health, safety and accessibility impacts upon the young and the elderly will need to be carefully considered. However, this is most appropriately addressed at the planning application stage, when Partnership authorities will need to ensure that development proposals consider issues of noise, dust, pollution, and the impacts of transport on communities.</p> <p>Policies in the JWCS place operational requirements on facilities to ensure that they will be operating to stringent Environmental/Health regulations.</p>	None
Race	<p>None:</p> <p>Language may be a barrier to understanding literature or marketing during the plan making process. Therefore alternative formats of the consultation material available could be requested and specific organisations were approached during the consultation process.</p> <p>The potential race impact arising from the proposed allocation of an existing Gypsy and Traveller transit site as a location for waste development was considered. However a decision by Bristol City Council had already been taken to replace the site, independently of the Joint Waste Core Strategy, in recognition of its poor environment (the site is adjacent to expanding sewage works and the M49).</p>	None
Sexual Orientation	None	None
Religion / Belief	None	None
Do any other specific groups have particular needs	None	None

6.2 The policies and proposals set out in the JWCS are strategic in nature and are considered to be applicable across the whole plan area. Therefore no significant adverse impacts upon any group or groups of people have been identified.

7. Monitoring

- 7.1 The Planning and Compulsory Purchase Act introduced the requirement to produce Annual Monitoring Reports (AMRs). The monitoring of the JWCS is crucial to the delivery and implementation of the spatial strategy. The Monitoring framework outlined in the JWCS will be undertaken by the Partnership authorities and reported through AMRs as appropriate. Outcomes from the monitoring will indicate when a review of the plan may be required.
- 7.2 The Partnership authorities through their Statements of Community Involvement will continue to ensure that their consultation and community engagement processes remain accessible to all.

8. How will the results of the EIA be published?

- 8.1 The JWCS Submission Document and EqlA will be considered by Cabinets and Councils in October/November 2009. If approved the EqlA will be published alongside the JWCS submission document in December 2009 so that stakeholders and consultees may make representations on the 'soundness' of the JWCS during January/February 2010.
- 8.2 Following this the document will be submitted to the Secretary of State in 2010 for the examination in Public Phase where an independent inspector will examine the soundness of all the submitted documents and the JWCS.
- 8.3 The examination phase will culminate in the production of an Inspectors report containing recommendations that the Partnership authorities will be obliged to abide by.

Name of Person completing EqlA: Laura Grady

Signed: LAURA GRADY

Date Assessment Completed: 28.09.2009

Name of Equalities Officer approving assessment: Jane Hamill

Signed: JANE HAMILL

Date approved by Equalities Officer: 01/10/09