

# Revised Local 2018-2033 Development Plan

December 2018

Draft Pre-Deposit Preferred Strategy  
Equality Impact Assessment



## **Carmarthenshire County Council**

### **Assessing Impact**

#### **The Equality Act 2010**

The Equality Act 2010 (the Act) brings together and replaces the previous anti-discrimination laws with a single Act. It simplifies and strengthens the law, removes inconsistencies and makes it easier for people to understand and comply with it. The majority of the Act came into force on 1 October 2010.

The Act includes a new public sector equality duty (the 'general duty'), replacing the separate duties on race, disability and gender equality. This came into force on 5 April 2011.

#### **What is the general duty?**

The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services and that they are kept under review. This will achieve better outcomes for all.

The duties are legal obligations. Failure to meet the duties may result in authorities being exposed to legal challenge.

Under equality legislation, public authorities have legal duties to pay 'due regard' to the need to eliminate discrimination and promote equality with regard to race, disability and gender, including gender reassignment, as well as to promote good race relations. The Equality Act 2010 introduces a new public sector duty which extends this coverage to age, sexual orientation, pregnancy and maternity, and religion or belief. The law requires that this duty to pay 'due regard' be demonstrated in the decision making process. It is also important to note that public authorities subject to the equality duties are also likely to be subject to the

obligations under the Human Rights Act and it is therefore wise also to consider the potential impact that decisions could have on human rights as part of the same process.

### **Carmarthenshire's approach to Equality Impact**

In order to ensure that the council is considering the potential equality impact of its proposed policies and practices, and in order to evidence that we have done so, every proposal will be required to be supported by the attached Equality Impact Assessment. Where this assessment identifies a significant impact then more detail may be required.

### **Reporting on assessments**

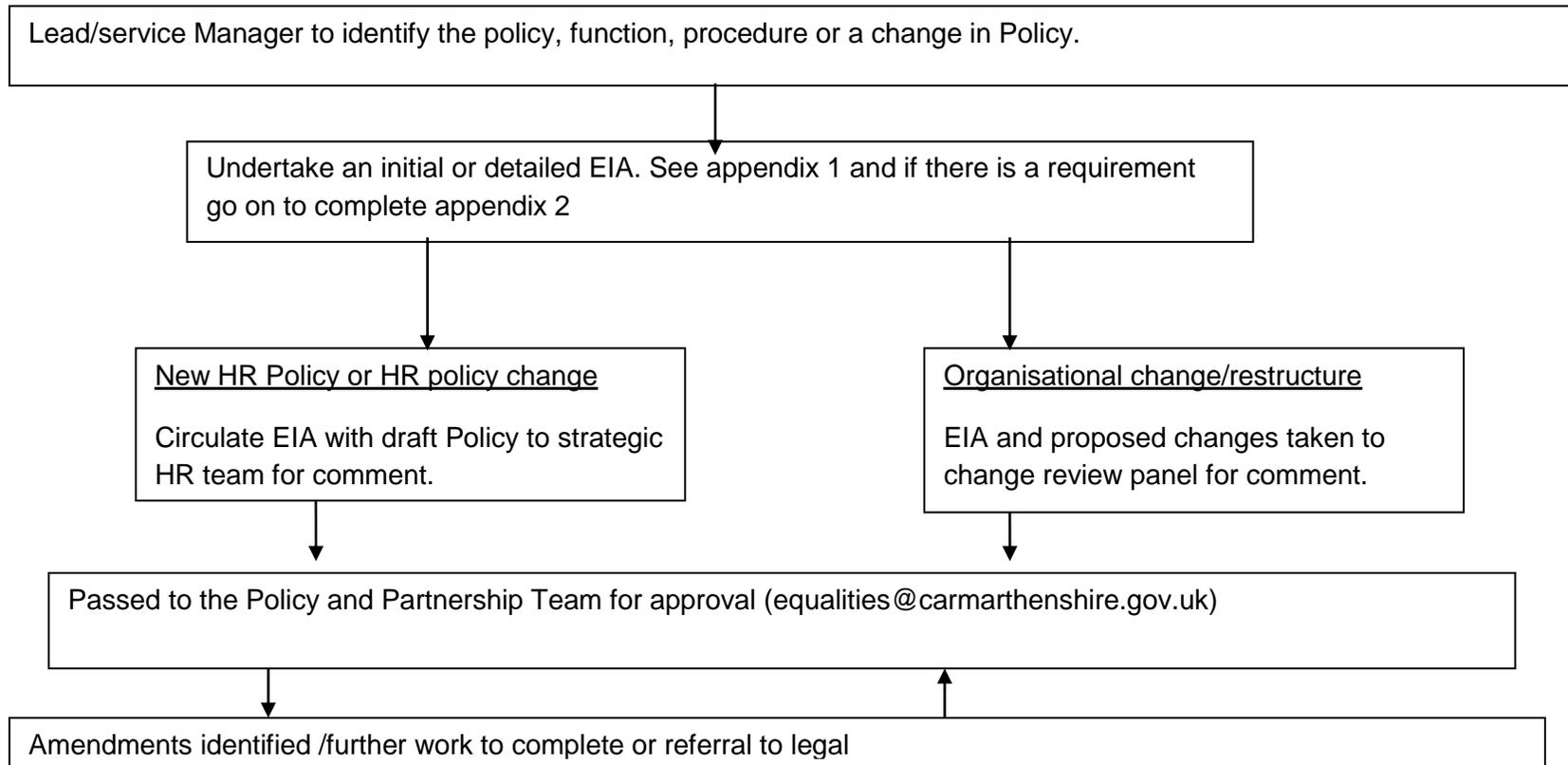
Where it is clear from the assessment that the likely impact on the authority's ability to meet the general duty is substantial, then it must publish a report.

### **Initial and Detailed Equality Impact Assessments**

The initial EIA (appendix 1) is a simple and quick method of assessing the effect of a policy, function, procedure, decision including financial cuts on one or more of the protected characteristics.

The Service Manager responsible for the relevant new or revised policies, functions, procedures and financial decisions must undertake, at least, an initial EIA and where relevant a detailed Equality Impact Assessment (appendix 2); EIA must be attached as background paper with reports to Executive and Scrutiny .

**Equality impact assessment – Process to follow where HR implications have been identified**



### Initial Equalities Impact Assessment Template

### Appendix 1

|  |   |   |
|--|---|---|
| <b>Department:</b><br><br>Planning   | <b>Completed by (lead):</b><br><br>Ian R Llewelyn   | <b>Date of initial assessment:</b><br><br><b>November 14 2018</b><br><br><b>Revision Dates:</b> |
| <b>Area to be assessed: (i.e. name of policy, function, procedure, practice or a financial decision)</b>   | Draft Pre-Deposit Preferred Strategy for the Revised Local Development Plan (LDP) 2018 - 2033 |   |
| <b>Is this existing or new function/policy, procedure, practice or decision?</b>   | New Policy  |   |
| <b>What evidence has been used to inform the assessment and policy? (please list only)</b>   |   |   |
| <p>In preparing this strategy full regard has been had to a range of requirements and influencing factors including:</p> <ul style="list-style-type: none"> <li>• Legislation – including the Planning and Compulsory Purchases Act 2004, Planning (Wales) Act 2015, Well Being of Future Generations Act 2015, Environment (Wales) Act 2016 and European Directives;</li> <li>• National Planning Policy;</li> <li>• Town and Country Planning (Local Development Plan) (Wales) (Regulations) 2015;</li> <li>• Carmarthenshire Well-being Plan and objectives – “the Carmarthenshire we want”;</li> <li>• Moving Forward in Carmarthenshire – The Council’s New Corporate Strategy 2018 – 2023;</li> <li>• Evidence gathered – including that on population and household projections;</li> <li>• Feedback and engagement.</li> </ul> |   |   |

The preparation of the Draft Pre-Deposit Preferred Strategy has emerged from a robust approach in respect of evidence gathering and engagement. There have been seven meetings of the LDP Advisory Panel since November 2017. This Panel is drawn up from Elected Members and its primary purpose is to take political ownership of the Revised LDP. There has been a strong emphasis on engagement and consensus building. Since January 2018, there have been:

- 2 meetings of the LDP Key Stakeholder Forum;
- LDP workshop / seminar for Town and Community Councils;
- 2 meetings of the Developer Forum and
- A number of meetings and presentations with political groups.

An online consultation was undertaken to support and inform the identification of the Plan's issues vision and objectives, whilst consultation has been undertaken on the Sustainability Appraisal Scoping Report.

**1. Describe the aims, objectives or purpose of the proposed function/policy, practice, procedure or decision and who is intended to benefit.**

The Council is required under the provisions of the Planning and Compulsory Purchases Act 2004 to prepare and have in place an adopted LDP. Its preparation and content is governed by legislation and procedural regulations. The current LDP was adopted in December 2014, however the Council resolved in January 2018 to commence work on a Revised LDP for the period 2018 – 2033.

Once adopted, the Revised LDP will be the land use plan for the County (excluding that area contained

within the Brecon Beacons National Park) and therefore decisions will be based on its content, unless material considerations indicate otherwise.

The Draft Pre-Deposit Preferred Strategy for the Revised LDP (The Strategy) is an important first stage of the Plan making process.

This Strategy contains a number of key elements, notably:

- Key Issues that the Plan seeks to contribute to addressing;
- A Vision for what Carmarthenshire will look like 2033;
- Strategic Objectives to address the issues and deliver the Vision;
- Growth Strategy – how many houses and jobs are required during the plan period?
- Spatial Strategy – where will the houses and jobs go during the plan period?
- Strategic policies

The key issues are grouped under the national well-being goals which means that they are framed within the context of the Well-being of Future Generations (Wales) Act 2015. This ensures that social, economic and environmental interests are embedded into the Plan making process. The issues highlight some of those notable challenges for the County, with further information available within the Issues, Vision and Objectives Topic Paper.

The vision directly incorporates the vision set out in the Council’s Corporate Strategy “Moving Forward in

Carmarthenshire - the next 5 years – 2018-2023”. Whilst there is no vision to directly draw upon from the Carmarthenshire Wellbeing Plan, the Revised LDP vision reflects its four well-being objectives which are (1) Healthy Habits (2) Early Intervention (3) Strong Connections and (4) Prosperous People and Places. A “One Carmarthenshire” approach recognises the need to balance conflicting demands and interests and provides a platform for consensus and shared ownership of the Revised LDP.

The Adopted LDP’s strategic objectives were utilised as a starting point for the identification of strategic objectives for the Revised LDP. The Carmarthenshire Well Being Plan’s wellbeing objectives have been utilised to group the Revised LDP’s Strategic Objectives. This ensures that a local interpretation of wellbeing is interwoven into the strategic objectives and the Plan’s strategy from the outset.

The Revised LDP strategic objectives are sufficiently aspirational and ambitious but are also deliverable within a spatial planning context. They respond and deliver upon the Plan’s key issues and provide a platform for delivering its vision. Whilst this is a spatial/land use plan, many of the Strategy’s objectives are relevant within the context of equalities impact assessment. Of particular note are

- SO2 To assist with **widening and promoting wellbeing opportunities** through access to community, leisure and recreational facilities as well as the countryside;
- SO3 To assist in widening and promoting education and skills training **opportunities for all**;
- SO4 **To ensure that the principles of equal opportunities and social inclusion are upheld by**

**promoting access** to a high quality and diverse mix of public services, healthcare, shops, leisure facilities and work opportunities, as well as vibrant town centres;

- SO10 To make provision for an appropriate mix of quality homes across the County **based around the principles of sustainable socio-economic development and equality of opportunities.**
- SO11 To assist in protecting, enhancing and promoting the **Welsh Language and the County's unique cultural identity, assets and social fabric.**

The Strategy seeks to deliver 9,887 homes across the County by 2033. This is around a third less than the current LDP's 15,197 housing requirement, and provides an opportunity for a minimum of 5,295 jobs. Within the context of equalities, it should be noted that this would support the Council's ambitions in delivering affordable homes across the County.

The preferred growth option has emerged from the consideration of population and household projections, as a consequence of pre-deposit engagement, and the need to reach a balanced outcome to deliver other strategies and plans such as, but not limited to:

- Welsh Government - Planning Policy Wales;
- The Council's Strategic Regeneration Plan 2015 – 2030 – Transformations;
- Swansea Bay City Deal;
- The Council's New Corporate Strategy 2018 – 2023;

|   |   |   |  |              |                         |  |  |
|---|---|---|--|--------------|-------------------------|--|--|
|   | <ul style="list-style-type: none"> <li>• The Carmarthenshire Well-being Plan: the Carmarthenshire we want 2018-2033;</li> <li>• The Council's Well-being Objectives;</li> <li>• The Council's Affordable Housing Delivery Plan; and</li> <li>• Local Housing Market Assessment , and</li> <li>• The Council's Moving Forward in Carmarthenshire: the next 5 years.</li> </ul> <p>The Revised Carmarthenshire Local Development Plan 2018 – 2033 recognises the diversity that exists within the County and the need to reflect this in its strategic approach. The Spatial Strategy identifies a settlement hierarchy but sets it within a settlement framework grouped under six clusters. These clusters, and the distribution of growth will focus on sustainable principles but will also recognise the respective role, function and contribution of settlements within particular clusters, whilst recognising and protecting and enhancing those valued aspects and environments. The new strategy seeks to provide balanced growth centred on the delivery of our communities' needs and the delivery of the region, and the Council's strategic and regeneration objectives.</p> |   |  |              |                         |  |  |
| <p><b>The Public Sector Equality Duty requires the Council to have “due regard” to the need to:-</b></p> <p>(1) eliminate unlawful discrimination, harassment and victimisation;</p> <p>(2) advance equality of opportunity between different groups; and</p> <p>(3) foster good relations between different groups</p> | <p><b>2. What is the level of impact on each group/ protected characteristics in terms of the three aims of the duty?</b></p> <p><b>Please indicate high (H) medium (M), low (L), no effect (N) for each.</b></p>   | <p><b>3. Identify the risk or positive effect that could result for each of the group/protected characteristics?</b></p> <table border="1" data-bbox="1095 1193 1848 1386"> <tr> <td data-bbox="1095 1193 1397 1386"><b>Risks</b></td> <td data-bbox="1397 1193 1848 1386"><b>Positive effects</b></td> </tr> <tr> <td></td> <td></td> </tr> </table> |  | <b>Risks</b> | <b>Positive effects</b> |  |  |
| <b>Risks</b>  | <b>Positive effects</b>   |   |  |              |                         |  |  |
|   |   |   |  |              |                         |  |  |
|   |   | <p><b>4. If there is a disproportionately negative impact what mitigating factors have you considered?</b></p>  |  |              |                         |  |  |

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| (see guidance notes)             |                   |   |   |   |  |
| <b>Protected characteristics</b> | <b>Age</b>        | H | Strategy fails to recognise the age profile of the County. It is noted within the key issues that Carmarthenshire has an ageing population. | The Strategy seeks to re-balance the demographic profile of the County. This reflects the current trend in outmigration amongst younger age groups and a reliance on migration as the driver for population change. The Strategy in seeking to re-balance the age profile provides for opportunities for a good working and living environment for all, creating prosperous and attractive communities. With regards to the provision of new homes, there is an emphasis on a mix of housing types, including affordable homes orientated towards community need. |  |
|                                  | <b>Disability</b> | H | Strategy directs development to   | The Strategy seeks to direct development to sustainable   |  |

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|                            |   |  | locations that are inaccessible.                               | locations which are accessible by through a range of transport means including public transport. The Strategy has strong emphasis on equality. Specific reference is made to Strategic Objectives 4 and 10.  |  |
| <b>Gender reassignment</b> | L |  |  | The strategy will seek to develop a land use framework which ensures opportunities for enhanced inclusivity.   |  |
| <b>Race</b>                | H |  | Strategy fails to recognise the needs of specific communities. | The strategy will seek to develop a land use framework which ensures opportunities for enhanced inclusivity. Reference is made to the needs of the Gypsy and Traveller communities within Carmarthenshire. In this respect the Strategy makes specific provision for their needs through Strategic Policy SP9. |  |
| <b>Religion/Belief</b>     | L |  |  | The Strategy provides a land use framework which responds to the   |  |

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|                                |   |  | identified issues through its vision, strategic objectives and strategic policies which is inclusive of religion/ belief or other social considerations.   |  |
| <b>Pregnancy and maternity</b> | L |  | The strategy will seek to develop a land use framework which ensures opportunities for enhanced inclusivity. The Strategy seeks to integrate other plans and strategies and promoting accessibility to services. |  |
| <b>Sexual Orientation</b>      | L |  | The strategy will seek to develop a land use framework which ensures opportunities for enhanced inclusivity.   |  |
| <b>Sex</b>                     | L |  | The strategy will seek to develop a land use framework which ensures opportunities for enhanced inclusivity.   |  |
| <b>Welsh language</b>          | H | The Strategy fails to make adequate provision to promote | The Welsh language is explicitly covered in Planning Policy Wales and Technical Advice Note 20:  |  |

|                       |  |  |   |  |  |
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|                       |  |  | and safeguard the interests of the Welsh language and aspects of linguistic sensitivity | <p>Planning and the Welsh Language. Both provide appropriate guidance on how to consider the Welsh Language in preparing an preparing LDP.</p> <p>The Strategy will through its strategic objectives and Strategic Policy SP7 make provision to support proposals which safeguard and promote the interests of the language.</p> <p>The Council is also subject to the Welsh Language Standards.</p> |  |
| <b>Any other area</b> |  |  |   |  |  |

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|--|---|
| <b>5. Has there been any consultation/engagement with the appropriate protected characteristics?</b> | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
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| <b>6. What action(s) will you take to reduce any disproportionately negative impact, if any?</b><br><br>The potential for any disproportionate impact will be monitored throughout the Plan making process. In this respect the Plan will be subject to continual iteration through to its adoption and will also be subject to the preparation of a Sustainability Appraisal which will also consider and make recommendations on its impacts both environmentally and |
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|--|---|-----------------------------|
| socially.  |   |                             |
| <b>7. Procurement</b>  |   |                             |
| Following collation of evidence for this assessment, are there any procurement implications to the activity, proposal, service.  |   |                             |
| N/A  |   |                             |
| Please take the findings of this assessment into your procurement plan. Contact the corporate procurement unit for further advice.   |   |                             |
| <b>8. Human resources</b>  |   |                             |
| Following collation of evidence for this assessment, are there any Human resource implications to the activity, proposal or service?   |   |                             |
| N/A  |   |                             |
| <b>9. Based on the information in sections 2 and 6, should this function/policy/procedure/practice or a decision proceed to Detailed Impact Assessment?</b> (recommended if one or more H under section 2) | YES <input checked="" type="checkbox"/> (note to be completed following finalisation of the Preferred Strategy) | NO <input type="checkbox"/> |
| <b>Approved by:</b>  | <b>Date:</b>  |                             |
| Head of Service  | L Quelch, Head of Planning  | December 2018               |