

Revised Local 2018-2033 Development Plan

Deposit January 2020

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

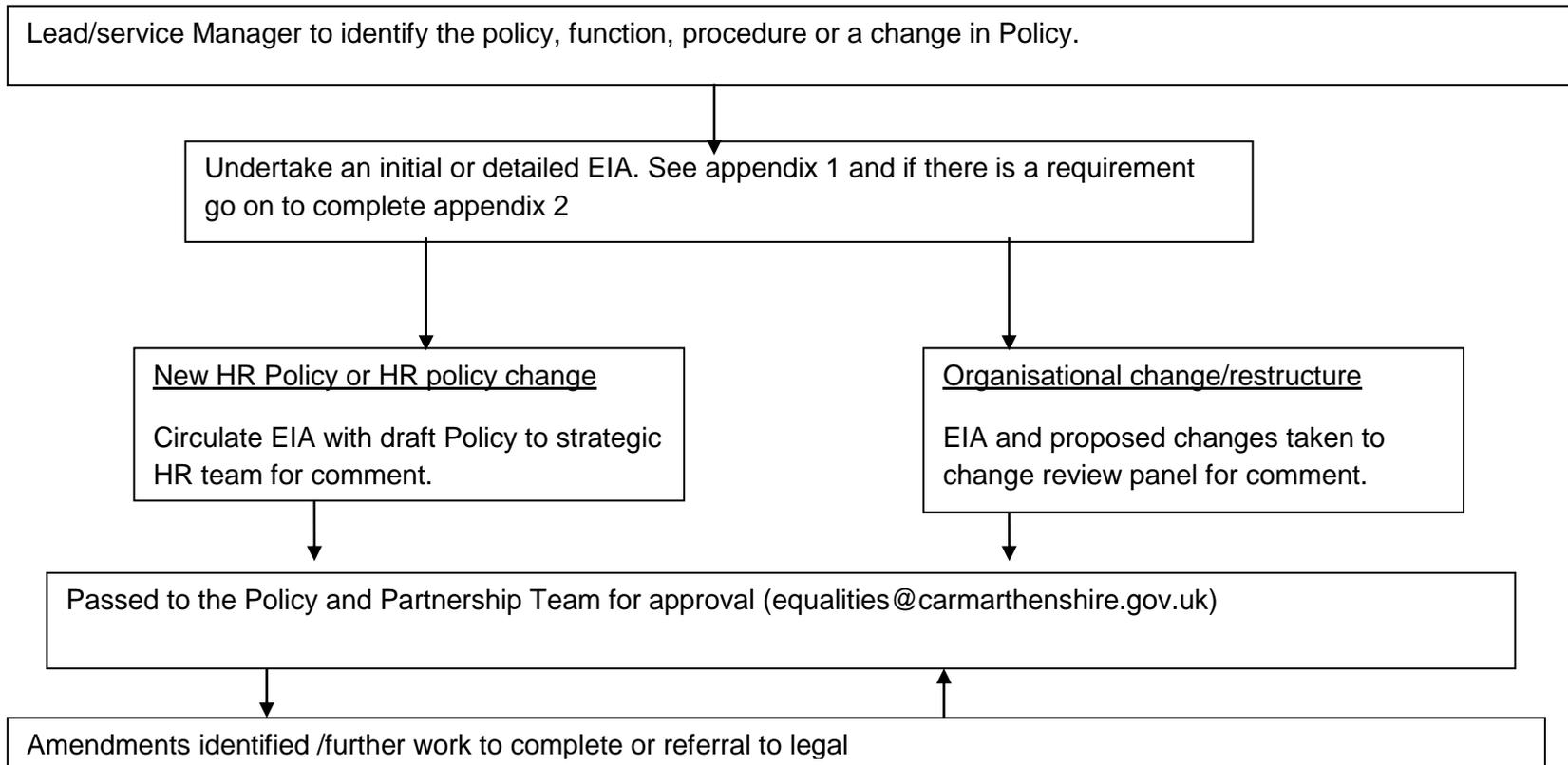
Where it is clear from the assessment that the likely impact on the authority's ability to meet the general duty is substantial, then it must publish a report.

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

Department: Planning	Completed by (lead): Ian R Llewelyn	Date of initial assessment: January 2020 Revision Dates:
Area to be assessed: (i.e. name of policy, function, procedure, practice or a financial decision)	Deposit Revised Local Development Plan (LDP) 2018 - 2033	
Is this existing or new function/policy, procedure, practice or decision?	New Policy	
What evidence has been used to inform the assessment and policy? (please list only)		
<p>In preparing this deposit Plan, full regard has been had to a range of requirements and influencing factors including:</p> <ul style="list-style-type: none"> • 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; • National Planning Policy; • Town and Country Planning (Local Development Plan) (Wales) (Regulations) 2015; • Carmarthenshire Well-being Plan and objectives – “the Carmarthenshire we want”; • Moving Forward in Carmarthenshire – The Council’s New Corporate Strategy 2018 – 2023 (2019 update); • Evidence gathered – including that on population and household projections; and • feedback and engagement. 		

The preparation of the Deposit LDP has emerged from a robust approach in respect of evidence gathering and engagement. There have been nine 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;
- A number of meetings and presentations with political groups;
- Regular reporting to the full County Council; and
- publication of the Pre-Deposit Preferred Strategy for consultation (which was accompanied by an initial Equalities Impact Assessment).

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 and Habitats Regulations Assessment.

<p>1. Describe the aims, objectives or purpose of the proposed function/policy, practice, procedure or decision and who is intended to benefit.</p>	<p>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.</p>
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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 Pre-Deposit Preferred Strategy for the Revised LDP (The Strategy) was an important first stage of the Plan making process.

This Strategy contained 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? and
- strategic policies.

The key issues were 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 ensured 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 (which was re-published in December 2019 as updated).

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 Council has now reached an important milestone with the publication of the Revised LDP for consultation in January 2020. The Deposit Revised LDP consists of a number of key elements which reflect stages in its preparation. It has sought to build on the preparation of, and consultation responses to, the Pre-Deposit Preferred Strategy. The recommendations of the Sustainability Appraisal – Strategic Environmental Assessment have also been responded to where appropriate. In this respect, engagement has, in accordance with the provisions of the Delivery Agreement, been an important aspect of the Strategy's preparation, with the contribution of technical consultees and other focused groups being instrumental in guiding the Deposit Plan's content.

A key element of the Deposit Plan is founded on the need for the Plan to make appropriate provision for a sustainable and deliverable level of growth - reflecting the ambitions of the County and meeting the needs of its communities. This has been supported by a robust and updated evidence whilst seeking to deliver on key strategic influences including:

- The Council's Strategic Regeneration Plan 2015 – 2030 – Transformations;
- Swansea Bay City Deal – including Yr Egin and the Wellness and Life Science Village;
- The New Corporate Strategy 2018 – 2023;
- The Council's Well-being Objectives; and
- Recent Council resolutions – including the declaration of a Climate Emergency and the motion on Planning and the Welsh language;
- Rural Taskforce Report and recommendations;
- National planning policy and legislative agenda;
- Our Commitment to Affordable Homes 2015 – 2020 and Affordable Housing Delivery Plan 2016-2020;
- Building More Council Homes – 'Our ambition and plan of action';
- Moving Forward in Carmarthenshire: the next 5-years.

The LDP seeks to promote and develop the economy across Carmarthenshire and the Deposit Revised Plan identifies appropriate land allocations to reflect Carmarthenshire as an ambitious County which attracts investment and provides opportunities for those living and working in our communities and well as a key player within a Swansea Bay regional context.

The proposed growth levels would also seek to challenge and address current demographic patterns particularly the out-migration as evidenced in the 16-19 age group. It provides opportunities to balance the

demographics of the County through the retention of, and in-migration of younger adults (including those returning) to the County, and address some of the issues which could be perceived from an aging population.

In recognising the changing evidence base in relation to demographic change an addendum Report on Carmarthenshire's Population and Household Forecasts has been prepared and is appended to this report. This identifies latest population and household projections reflecting the iterative nature of the Plan making process. It is therefore proposed as set out within the Deposit Revised LDP to amend the population change figures and consequentially the proposed LDP housing requirement to the following: Population increase of 15,115 (or 8.1%) over the Plan period, with a housing requirement of 8,835 homes (equivalent to 589 homes per year).

The spatial approach to the distribution of land represents a Balanced Community and Sustainable Growth Strategy, a revision to the approach in the current LDP and one which seeks to address the issues highlighted in the Review Report, as well as reflecting the feedback in the formulation of the preferred strategy. The revised spatial hierarchy and the distribution of growth will therefore be expressed through the settlement framework as grouped under respective clusters which seek to characterise areas across the County. These are identified within the Deposit Plan.

Key themes and policy areas set out within the revised deposit LDP include:

- Provide for the requirement of 8,835 new homes;
- To maximise affordable housing delivery providing for 1,500 new affordable homes. Note: this figure will be subject to further refinement ahead of the publication of the Deposit LDP. Additional evidence gathering in respect of viability and the impact on the affordable housing target and policies will also be ongoing;
- Provide for 77.93 ha of employment land;
- Defined levels of development viability;
- Identify levels of developer contributions (s106) and key priority areas;
- Recognise the economic opportunities to sustain and enhance rural economies;
- Support regeneration and strategic ambitions for the County and region;
- Promote a settlement framework which supports cohesion between settlements and communities;
- Reflect the linguistic needs of the County and its communities and their cultural characteristics;
- Distribute development in accordance with the settlement hierarchy, reflecting the principles of sustainability and the functional attributes of settlements;
- Respect and enhance the rich and diverse environmental qualities of the County;
- To reflect the need for new homes in rural areas;
- Reflect matters of infrastructural capacity – notably within the Llanelli Waste Water Treatment Works catchment area;

- Contribute towards the achievement of the statutory Conservation Objectives of the Caeau Mynydd Mawr Special Area of Conservation;
- Contribute to the delivery of physical and social regeneration opportunities;
- Create diverse and cohesive developments and communities;
- Reflect the diversity across the County, and within its settlements and communities;
- Focus retail change in established centres whilst providing opportunities which will assist in achieving viable, self-supporting settlements and sustainable communities;
- Define search areas for the siting of wind and solar renewable energy developments;
- Recognise the contribution of 'previously developed land';
- To provide opportunities to maximise on the County's visitor economy potential;
- Protect and enhance the natural, historic and built conservation qualities of Carmarthenshire; and,
- Contribute to an integrated transport network both within the County and region.

In taking forward the above, the Deposit LDP, its evidence base and its contextual influences, includes a number of new policy areas or an additional focus on aspects around:

- Placemaking and Well-being of future generations;
- Green Infrastructure;
- Climate Change and Sustainable Development;
- The Welsh language;
- Flood avoidance;

	<ul style="list-style-type: none"> • Reserve Regeneration Sites; and • Rural Planning Policy. <p>The Deposit Revised LDP seeks to acknowledge and respond to changes in evidence and consider the emerging growth provisions of the emerging National Development Framework as it progresses through the reporting process. The Revised LDP will continue to develop as new evidence, policy guidance and legislation emerges. It should also be noted that further non-substantive amendments to the Plan and its supporting documents will be undertaken to ensure its content is complete ahead of the consultation on the Deposit LDP. It will also ensure the Plan is up to date and reflects the latest factual and evidential position.</p>						
<p>The Public Sector Equality Duty requires the Council to have “due regard” to the need to:-</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>(see guidance notes)</p>	<p>2. What is the level of impact on each group/ protected characteristics in terms of the three aims of the duty?</p> <p>Please indicate high (H) medium (M), low (L), no effect (N) for each.</p>	<p>3. Identify the risk or positive effect that could result for each of the group/protected characteristics?</p> <table border="1" data-bbox="1099 965 1848 1375"> <thead> <tr> <th data-bbox="1099 965 1400 997">Risks</th> <th data-bbox="1400 965 1848 997">Positive effects</th> </tr> </thead> <tbody> <tr> <td data-bbox="1099 997 1400 1375"></td> <td data-bbox="1400 997 1848 1375"></td> </tr> </tbody> </table>		Risks	Positive effects		
Risks	Positive effects						
		<p>4. If there is a disproportionately negative impact what mitigating factors have you considered?</p>					

Protected characteristics	Age	H	The Plan fails to recognise the age profile of the County. It is noted within the key issues that Carmarthenshire has an ageing population.	The Plan 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 Plan 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.	
	Disability	H	The Plan directs development to locations that are inaccessible.	The Plan seeks to direct development to sustainable locations which are accessible by through a range of transport means including public transport. The Plan has strong emphasis on equality. Specific reference is made to	

			Strategic Objectives 4 and 10.	
Gender reassignment	N		The Plan will seek to develop a land use framework which ensures opportunities for enhanced inclusivity.	
Race	H	The Plan fails to recognise the needs of specific communities.	The Plan contains 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 Plan makes specific provision for their needs through Strategic Policy SP9 and related detailed policies.	
Religion/Belief	N		The Plan provides a land use framework which responds to the identified issues through its vision, strategic objectives and strategic policies which is inclusive of religion/ belief or other social considerations.	

Pregnancy and maternity	N		The Plan will seek to develop a land use framework which ensures opportunities for enhanced inclusivity. The Plan seeks to integrate other plans and strategies and promoting accessibility to services.	
Sexual Orientation	L		The Plan will seek to develop a land use framework which ensures opportunities for enhanced inclusivity.	
Sex	L		The Plan will seek to develop a land use framework which ensures opportunities for enhanced inclusivity.	
Welsh language	H	The Plan fails to make adequate provision to promote and safeguard the interests of the Welsh language and aspects of linguistic sensitivity	The Welsh language is explicitly covered in Planning Policy Wales and Technical Advice Note 20: Planning and the Welsh Language. Both provide appropriate guidance on how to consider the Welsh Language in preparing an	

				<p>preparing LDP.</p> <p>The Plan through its strategic objectives and Strategic Policy SP7 (and related detailed policies) 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. Reference is made to the Topic Paper and evidence prepared in relation to the Welsh language which is published alongside the deposit LDP.</p>	
	Any other area				

5. Has there been any consultation/engagement with the appropriate protected characteristics?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A - In that the Deposit Plan is subject to full Public consultation (as was the Preferred Strategy).
6. What action(s) will you take to reduce any disproportionately negative impact, if any?	
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 socially. The Deposit Revised LDP will be accompanied by an Easy Read Version and a similar document was available alongside the Pre Deposit Preferred Strategy.

Also, the deposit Revised LDP will be available in a different format upon request.

7. Procurement

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.

8. Human resources

Following collation of evidence for this assessment, are there any Human resource implications to the activity, proposal or service?

N/A

9. Based on the information in sections 2 and 6, should this function/policy/procedure/practice or a decision proceed to Detailed Impact Assessment? (recommended if one or more H under section 2)

YES

NO

Approved by:

Head of Service

L Quelch, Head of Planning

Date:

January 2020

Detailed Equalities Impact Assessment Template

Appendix 2

Department:	Planning
Completed by (lead):	Ian R Llewelyn
Date of Detailed assessment:	January 2020
Area to be assessed: (<i>Policy, function, procedure, practice or a financial decision</i>)	Deposit Revised Local Development Plan (LDP) 2018 - 2033
Is this existing or new function/policy/Procedure/ practice	Yes

1. Describe the aims, objectives or purpose of the function/policy, practice or procedure and who is intended to benefit.	Please see initial impact assessment above (Appendix 1)
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<p>2. Please list any existing documents, evidence, research which have been used to inform the Detailed equality impact assessment. (This must include relevant data used in this assessment)</p>	<p>Please see initial assessment above (Appendix 1)</p>
<p>3. Has any consultation, involvement been undertaken with the protected characteristics to inform this assessment? (please provide details, who and how consulted)</p>	<p>Please see initial assessment above (Appendix 1)</p>
<p>4. What is the actual/likely impact?</p>	<p>Within the initial assessment (Appendix 1 above), potential High impacts were noted in relation to the following characteristics :</p> <p>Age;</p> <p>Disability;</p> <p>Race &</p> <p>Welsh language.</p>

5. What actions are proposed to address the impact? (<i>The actions needs to be specific, measurable and outcome based</i>)	What are we going to do	Who will be responsible	When will it be completed	How will we know we have achieved our objective
	<p>In terms of age, the Plan provides opportunities for retention of, and migration of younger adults into the County- most notably by delivering a minimum of 5,295 new jobs. This Plan makes provision for a range of age groups recognising the diverse demographics across the County. Whilst the Plan does not specifically identify housing for the elderly or supported living these can (and are) accommodated and considered against the Plan's policy framework. The preparation of the Plan has been supported by engagement with a range of statutory and non-statutory bodies. This has included the integration of strategic community infrastructure within the Plan's policies and proposals. Reference is made to Policy HOM9.</p>	<p>Elected Members and officers of the County Council and relevant service partners.</p>	<p>2021 Plan to be adopted and ongoing monitoring of implementation throughout the Plan period.</p>	<p>Adoption of the Revised LDP in 2021 and then through the Annual monitoring of the Plan.</p>

	In terms of disability, the Plan seeks to deliver developments that are accessible and integrated thus ensuring ease of access for all. Reference is made to Strategic Policy 11 & Policy PSD1.	Elected Members and officers of the County Council and relevant service partners.	2021 Plan to be adopted and ongoing monitoring of implementation throughout the Plan period.	Adoption of the Revised LDP in 2021 and then through the Annual monitoring of the Plan
	In terms of race, the Plan meets an identified need in terms of Gypsy and Traveller provision. Reference is made to Strategic Policy 9 & Policy GTP1.	Elected Members and officers of the County Council and relevant service partners.	2021 Plan to be adopted and ongoing monitoring of implementation throughout the Plan period.	Adoption of the Revised LDP in 2021 and then through the Annual monitoring of the Plan
	In terms of the Welsh language, the Plan seeks to promote the Welsh language and culture and is committed to contributing to the Welsh Government's long-term aim of achieving 1 million Welsh speakers by 2050. Reference is made to Strategic Policy 7, Policy WL1 & Policy PSD9.	Elected Members and officers of the County Council and relevant service partners.	2021 Plan to be adopted and ongoing monitoring of implementation throughout the Plan period.	Adoption of the Revised LDP in 2021 and then through the Annual monitoring of the Plan
6. How will actions be monitored?	<p>The Council's elected Members have ownership of the Revised LDP. As a result, the progress being made on the introduction of the above actions, as well as the wider Revised LDP, will be scrutinised by Elected Members. Reference is also made to the Revised LDP Delivery Agreement between the Welsh Government and the County Council which sets out how the Plan will be prepared and in what timescale.</p> <p>The preparatory process of the Revised LDP requires that the Plan be subject to Independent Examination. Subject to the LDP Inspector finding the Plan sound, a key monitoring stage in the progress of the above actions will be the Council's adoption of the</p>			

	Revised LDP. It should be noted that the findings of the Inspector will be binding on the Council. Following the adoption of the Plan, the Council's focus will then turn to implementation. The Plan will form the basis of decision making within the LPA area. There is a requirement to prepare an Annual Monitoring Report, whilst there is also a requirement for a review to be undertaken every 4 years. It should be noted that some of the above actions may be subject to a specific monitoring indicator.	
Approved by: Head of Service	L Quelch, Head of Planning	Date: January 2020

Thank you for completing this assessment.

For further information regarding Assessing Impact, please contact the -

Policy & Partnership Team

Chief Executive's Department

01267 22(4914) / (4676) equalities@carmarthenshire.gov.uk

Please send a copy of the assessment to the above e-mail address upon completion.