



Powys County Council

Powys Replacement Local Development Plan

Initial Integrated Sustainability Appraisal Report
Appendix E





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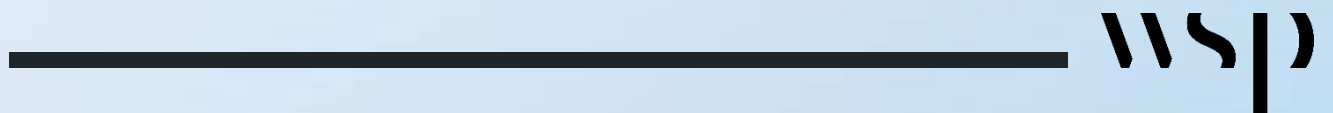


Contents

Equalities Impacts Assessment (EqIA)	1
Introduction	1
Method	2
EqIA of the Preferred Strategy	3
Step 1: Screening	3
Step 2: Scoping the Assessment	3
Step 3: Consideration of data and information	5
Step 4: Assessing the Likely Effects	5
Step 5: Reviewing and scrutinising the impact	8

Appendix E

Equalities Impacts Assessment (EqIA)



Equalities Impacts Assessment (EqIA)

Introduction

An EqIA is a legal requirement as established by The Equalities Act 2010¹. The Equality Act 2010 places a duty on local planning authorities to engage with the local community and other interested parties when developing plan policies and consider representations made to it when determining a planning application. The Equality Act 2010 charges local authorities to consider how their policies, decisions, processes and operation can potentially impact disadvantaged and minority groups and should ensure that such impacts are minimised and removed. The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity between those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them

An EqIA is a process designed to ensure that a policy, project or scheme does not discriminate against any particular group on the basis of certain characteristics, which are defined as:

- Age
- Disability
- Ethnicity/Race
- Gender/Sex
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Religion or beliefs and;
- Sexual orientation

Affected groups:

1. People of different genders (Men/women/identifying gender)
2. People of different races or ethnic groups (Black, White, Asian, Mixed / Dual Heritage, Gypsy/Traveller etc.)

¹ HM Government 2010 (2010, latest update 2022) 'The Equality Act 2010'. Available at: <https://www.legislation.gov.uk/ukpga/2010/15>, accessed 19.07.2022.

3. People with a form of mental or physical disability (both visible and invisible): e.g. hearing impairments, visual impairments, speech difficulties, learning difficulties, mobility difficulties, mental health problems, long-term ill health etc.
4. People of different age groups e.g. children, teenagers, young adults, middle-aged, or older people.
5. Lesbian, gay, bisexual, asexual or heterosexual people.
6. People from different religious or belief groups e.g. Christian, Buddhist, Hindu, Jewish, Muslim, Sikh, Non-religious, or other beliefs, e.g. philosophical beliefs like humanists.
7. People who have changed their gender or are in the process of doing so (i.e. transgender)
8. Pregnant women or people who have just had a baby (Maternity/paternity can be defined as 26 weeks after giving birth, and includes consideration about breastfeeding.) Only relevant to the requirement to have due regard to the need to eliminate discrimination)
9. Other groups who could find it difficult to access or make use of the policy / function. For example: low income / people living in rural areas / single parents / carers and the cared for / past offenders / long-term unemployed / housebound / history of domestic abuse / people who don't speak English as a first language / people without computer access etc.

The Equalities Act is supported by other equality focused legislation as identified below:

- The Race Relations (Amendment) Act 2000² – Extended the provisions of the Race Relations Act 1976 to local authorities and the police and therefore requires local authorities consider their potential effects on minority groups due to their race and ensure they are not unfairly disadvantaged.
- Disability Discrimination Act 2005³ - Requires local authorities to consider their potential effects on those with a disability and especially individuals that have long-term severe physical and/or mental disabilities.
- Equality Act, 2006 (Gender Equality)⁴ – This Act affords protection to people's religion/beliefs, sexual orientation and gender/sex.

Method

EqIA is an iterative process that will be reviewed at each stage of the SA process and updated accordingly, through the following stages:

- Stage 1: Screening
- Stage 2: Scoping
- Stage 3: Consideration of Data and Information

² HM Government (2000) 'Race Relations (Amendment) Act 2000'. Available at: <https://www.legislation.gov.uk/ukpga/2000/34>, accessed 19.07.2022.

³ HM Government (2005) 'Disability Discrimination Act 2005'. Available at: <https://www.legislation.gov.uk/ukpga/2005/13>

⁴ HM Government (2006) 'Equality Act 2006'. Available at: <https://www.legislation.gov.uk/ukpga/2006/3>

- Stage 4: Assessing Likely Effects
- Stage 5: Reviewing the Likely Effects

EqlA of the Preferred Strategy

Step 1: Screening

Key Questions	Commentary
What are you looking to achieve in this activity?	The Powys Replacement Local Development Plan (RLDP) will set out the Council’s strategy for delivering sustainable development to meet the needs of residents for the period 2022 – 2037.
Who in the main will be affected?	Those who live, work and visit Powys.
Does the activity have the potential to cause adverse impact or discriminate against different groups in the community?	Yes, too much or a lack of new housing, employment and associated community facilities could have adverse impacts on different groups in the community.
Does the activity have potential to make a positive contribution to equalities?	Yes, through the delivery of new homes, employment opportunities and community infrastructure.

Step 2: Scoping the Assessment

Key Questions	Commentary
What is the overall aim, or purpose, of the function/policy/service?	The Powys Replacement Local Development Plan (RLDP) sets out the Council’s strategic policies and proposals for the development and use of land within Powys (excluding Bannau Brycheiniog / Brecon Beacons National Park) for the period 2022 – 2037.
What outcomes do you want to achieve with this function/policy/service and for whom?	<p>The RLDP sets out a number of objectives which are supported by more detailed policies and proposals, as outlined below:</p> <p>Objective 1 – Climate Change</p> <p>Objective 2 – Nature Recovery</p> <p>Objective 3 – Natural, Historic, and Built Environments</p>

- Objective 4 – Mineral Resources
 - Objective 5 – Sustainable Travel
 - Objective 6 – Placemaking
 - Objective 7 – Sustainable Growth
 - Objective 8 – Health and Well-being
 - Objective 9 – Sustainable Settlements and Communities
 - Objective 10 – Meeting Future Needs
 - Objective 11 – Welsh Language
 - Objective 12 – Housing Needs
 - Objective 13 – Community Facilities and Assets
 - Objective 14 – Vibrant Economy
 - Objective 15 – Economic Development
 - Objective 16 – Mid Wales Growth Deal
 - Objective 17 - Tourism
 - Objective 18 – Town Centres
 - Objective 19 – Infrastructure, Utility and Service Provision Required for New Development
 - Objective 20 – Provision of Infrastructure and Digital Connectivity Projects
 - Objective 21 – Energy and Decarbonisation
 - Objective 22 - Waste
- Ultimately the primary outcome it to ensure that the needs of all communities and groups are met during the plan period.

Who in the main will be affected?

Those who live, work and visit Powys.

Who defines or defined the function/ policy/ service?

Welsh Government and Powys County Council

Who implements the function/ service/ policy?

Powys County Council

What factors could contribute or detract from the outcomes identified earlier?

Difficulties delivering the proposed levels of new homes, employment opportunities and associated community facilities.

Step 3: Consideration of data and information

Key Questions	Commentary
What do you already know about who uses the function/ service/ policy?	The ISA Scoping Report (see Appendix A of this Initial ISA Report), sets out the relevant policy context and baseline information for equalities, including protected characteristics.
What consultation with service users has taken place on the function/ service/ policy and what were they key findings?	There have been a number of different consultations carried out to date with key stakeholders and the public to inform the development of the RLDP. This includes engagement on the vision, objectives and key issues as well as on alternative strategies and options. The Preferred Strategy and Deposit Plan will also be available for public consultation in due course. Please refer to the Powys RLDP Engagement and Community Involvement Record (July 2024) for further details, including the representations received and how they have been taken into account.
What, if any, additional information is needed to assess the impact of the function/ service/ policy?	There is no additional information required to assess the impact of the RLDP.
How do you propose to gather the additional information?	N/A

Step 4: Assessing the Likely Effects

Potential Inequality Area	Likely Effects
1. People of different genders (Men/women/ identifying gender)	In Powys, 51.1% of the population are female, and 48.9% are male. This is similar to the ratio in Wales of 50.9% and 49.1%, respectively. Life expectancy of both men and women in Powys is higher than the national average by around 1.5 years, and women outlive men by 3.7 years in Powys, compared to the national average of 3.8.

The RLDP is not expected to discriminate or differentially impact anyone based on their gender. The RLDP seeks to provide a suitable mix of housing types, tenures, sizes, and of a suitable design to meet the diverse needs of the Powys population.

2. People of different races or ethnic groups (Black, White, Asian, Mixed / Dual Heritage, Gypsy/Traveller etc.)

As of 2011, it was recorded that there are at least 128 individuals identified as Gypsy, Irish Traveller, or Welsh Traveller within Powys. Strategic Policy SP6 within the RLDP seeks to meet the needs of these communities by making provision for 12 additional pitches in the Welshpool area, which will likely have positive long-term effects on meeting future specialist housing needs.

3. People with a form of mental or physical disability (both visible and invisible): e.g. hearing impairments, visual impairments, speech difficulties, learning difficulties, mobility difficulties, mental health problems, long-term ill health etc.

Strategic policy SP17 acts to reduce health inequalities and improve social cohesion by facilitating access to healthy environments and ensuring all places and developments are as inclusive as possible. SP17 aims to protect and support existing community and healthcare facilities, which will support both the physical and mental health of the Powys population.

4. People of different age groups e.g. children, teenagers, young adults, middle-aged, or older people.

The percentage of people aged over 65 in Powys is large and growing; Powys has the highest proportion of over 65 in all of Wales, at 27.8%, with the Welsh national average at 21.3%. Age is relevant to the RLDP as the housing strategy outlined in the plan aims to deliver suitable, accessible, and affordable housing within Powys, for all age groups.

As set out by SP2, the majority of development will be directed to regional growth clusters, meaning that services can more easily be accessed by the ageing population. Policy SP5 seeks to ensure that a suitable mix of housing tenures, types and sizes and of suitable design is provided. It seeks to deliver 1,036 new affordable homes as well as seeking a proportion of Lifetime Homes on market housing developments to assist in addressing the needs of the Plan area's aging population.

Additionally, as the RLDP aims to deliver more housing and employment opportunities, the plan can contribute to addressing the age imbalance within Powys. By providing more

	employment options, the RLDP can seek to retain more young people of working age, who typically leave the area for work.
5. Lesbian, gay, bisexual, asexual or heterosexual people.	The RLDP is not expected to discriminate or differentially impact anyone based on their sexuality. The Plan will seek to maximise opportunities for enhanced inclusivity across all policies within the RLDP.
6. People from different religious or belief groups e.g. Christian, Buddhist, Hindu, Jewish, Muslim, Sikh, Non-religious, or other beliefs, e.g. philosophical beliefs like humanists.	There is a high proportion of Christians living in Powys (61.8%), with a large proportion of people with no religion (27.9%). The RLDP may have a very minor positive impact for people of religious backgrounds due to retention of village halls and cultural venues which may serve as places of worship. The RLDP is not likely to have any significant impact on people from different religions or beliefs.
7. People who have changed their gender or are in the process of doing so (i.e. transgender)	The RLDP is not expected to discriminate or differentially impact anyone based on the grounds that they have changed or are in the process of changing their gender.
8. Pregnant women or people who have just had a baby (Maternity/paternity can be defined as 26 weeks after giving birth, and includes consideration about breastfeeding). Only relevant to the requirement to have due regard to the need to eliminate discrimination)	<p>The RLDP may provide some benefits to those who are pregnant or just had a baby. As per SP17, the plan seeks to improve community and healthcare facilities which will benefit those that are less mobile.</p> <p>Further, SP13 seeks to promote the concept of 'Living Locally', where the majority of key everyday services are within walking/ cycling/ short journey by public transport.</p>
9. Are there any other groups who could find it difficult to access or make use of the policy / function? For example: low income / people living in rural	No, the Preferred Strategy seeks to meet identified needs across Powys and for all communities/ residents.

areas / single parents / carers and the cared for / past offenders / long-term unemployed / housebound / history of domestic abuse / people who don't speak English as a first language / people without computer access etc.

10. Could this policy discriminate on the grounds of marriage or civil partnership?

The RLDP is not expected to discriminate or differentially impact anyone based on the grounds of marriage or civil partnership.

11. Is there any potential negative impact which cannot be minimised or removed? If so, can it be justified? E.g. on the grounds of promoting equality of opportunity for another protected group.

No negative impacts have been identified.

Step 5: Reviewing and scrutinising the impact

Key Question	Commentary
What conclusions can you draw about any differential impact and how people are adversely or positively affected?	It is concluded that the Preferred Strategy will have an overall long-term positive effect. There are uncertainties given the strategic nature of the RLDP and that the positive effects will be dependent to some extent on the implementation of proposed development.
What actions can you take to address any impacts identified?	While no negative effects have been identified, Powys County Council should seek any opportunities to enhance the predicted positive effects of the RLDP.

<p>If no changes can be made, what reasons are there to justify this?</p>	<p>N/A, no negative effects identified.</p>
<p>How might any of the changes, in relation to the adverse impact, have a further adverse effect on any other group?</p>	<p>N/A, no negative effects identified.</p>
<p>Which decision-making process do these changes need to go through i.e. do they need to be approved by a Committee/Council?</p>	<p>The RLDP requires approval from Full Council at each key stage.</p>
<p>How will you continue to monitor the impact of the function/service/policy on diverse groups?</p>	<p>Powys County Council publish an annual report each year showing progress in terms of equalities. Further to this, an annual monitoring report is also produced for the currently adopted Local Development Plan and this will continue for the RLDP.</p>
<p>When will you review this equality impact assessment?</p>	<p>This EqIA will be reviewed once the RLDP Deposit Plan is produced.</p>



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