

HDC Due Regard (Equality Analysis)

Due Regard (Equality Analysis) is an on-going proactive process which requires us to consider the effect our decisions are likely to have on local communities, service users and employees, particularly those most vulnerable and at risk of disadvantage.

This template has been designed to assist in the collation of information and evidence required to support the 'Due Regard' process when introducing new policies/procedures/functions and services or reviewing existing ones.

For help with this template please view the guidance document, which contains advice to assist you when you are considering the impact (both positive and negative) of the proposed actions on each of the protected equality characteristics.

Name of policy/procedure/function/service being analysed: Local Plan Call for Sites

Department and section: Strategic and Local Planning

Name of lead officer: Rachel Danemann

Other people involved (assisting or reviewing – including any service users or stakeholder groups etc.): SLP Team, Equalities

Officer -review, Comms Team and ICT team- help with key messages and technology

Date assessment completed: Feb 2020

Step 1: Defining the policy/procedure/function/service

Is this a new, amended or reviewed policy? What are the aims, objectives and purpose and how will they be achieved? What are the main activities and which communities are likely to be affected by these activities? What are the expected outcomes?

As part of the evidence base for the new Local Plan, we will be running a 'Call for Sites' exercise. This will seek information on potential development sites across the district to help meet the need for homes (including affordable, custom and self-build plots, specialist older and disabled persons housing, sites for Gypsies and Travellers, and travelling showpeople) general employment, large warehousing, retail, leisure, recreation, community facilities and other uses such as energy infrastructure.

The Call for Sites process is the opportunity for landowners and site promoters to forward their sites for submission. The exercise will be open to all people who have land (and their agents/advisors) who wish to put it forward for development. Submitted sites are then considered against set criteria with results reported in the SHELAA, which forms part of the evidence base for plan-making. Those sites with potential are carried forward into the next Local Plan, when work on that begins.

We have undertaken Call for Sites before but this time it will be an online, not paper based, process. This exercise will be the first time HDC has used the OpusConsult software for Call for Sites, including the new feature of the online mapping function. Site promoters will need to sign up for an account before they can submit a form. Site promoters will be required to fill in an online form for each site, and either draw or submit a map (pdf or shape file) and other relevant information.

The form will be online only.

The aim of the Smarter Services project is to review and improve the Call for Sites process.

The objectives of the project are:

- 1) The effective communication of the purpose of the Call for Sites to generate understanding and awareness
- 2) The receipt of a wide range of site submissions for assessment
- 3) The establishment of a site submission process which is accessible, easy to use and encourages the submission of good quality data to aid assessment
- 4) The effective capture of submitted site data through an IT solution which aids the efficient assessment of sites and the reporting process
- 5) The on-going building of relationships and management of expectations through timely communication of progress

As part of the Smarter Services project we have identified the following key customers:

- Landowners (and their agents)
- Developers (and their agents)
- Town and Parish Councils (in an enabling role)
- Elected Members (in an enabling role)
- Other partners. This includes statutory agencies, public agencies owning land (Homes England, utilities, etc.) internal- Assets team (in their responsibility for use of council land and buildings), Communities team (in their enabling role)

Step 2: Data collection & evidence

What relevant evidence, research, data and other information do you have and is there any further research, data or evidence you need to fill any gaps in your understanding of the potential or known affects of the policy on different communities? Include quantitative data as well as qualitative intelligence such as community input and advice.

Evidence from the last Call for Sites work shows who submitted sites as part of the process. It does not show who was engaged but chose not to submit a site, or those who were not engaged at all.

The Call for Sites process is one small part of preparing the evidence to support work on the next Local Plan. An EqIA will be undertaken for the new Local Plan. This EqIA focuses on the specific challenges of the Call for Sites project, which starts with the design of the form and ends with submission of a site to the Council.

It is likely that there is an inbuilt bias already in who owns land, and it would therefore not be a reasonable approach to seek to get a representative sample of Harborough residents/characteristics in this exercise. As we do not (and cannot know) who owns all the land we cannot tell if responses are representative of the landowners. Similarly as many of the site will be submitted by agents on behalf of clients there is limited value in asking about characteristics of the agents. Issue around equality within a particular firm or within the development sector are outwith the remit of the Council undertaking a call for sites exercise. Having discussed the target audience with the Council's Equalities Officer it was felt that although we could seek to collecting equalities data on this issue, even if we were able to establish a baseline for comparing with future rounds of Call for Sites, this would still be of limited value, in terms of informing action within the scope of the Council's role. As such it was judged as equalities data should not be collected for in own sake, owing to its limited value in this situation we would not include an equalities questions as part of submitting a form.

Broadly speaking, the aim is to move towards an online-first information submission process. The process is open to everyone and as such may result in some equalities issues that need mitigating. The Customer Journey mapping authors were asked to consider any specific equalities issues for the specific groups identified. The work to date on Call for Sites has identified a possible equalities issues around Gypsy and Traveller sites, and wider equalities issue around moving to on only process, around access to ICT hardware and software, necessary IT skills and a reliable broadband connection. We have specifically considered how lack of internet access could be addressed in a COVID proof way. However, as the rules are constantly changing it is difficult to predict plan for this at this stage. We have recognised though that there may be a need to offer a telephone service, whereby a customer answers the questions on the form, and an office (from customer services or planning) fills int in on their behalf. This would be expected to be in exceptional circumstances only.

The request for new Gypsy and Traveller Sites may require particular outreach to the Gypsy and Traveller community, and additional support to help them submit suitable sites may need to be made available.

Step 3: Consultation and involvement

Have you consulted and if so outline what you did and who you consulted with and why.

The Call for Sites project has benefitted from input from Smarter Services. We have considered the customer journeys from the perspective of various customers. A full Communications plan has also been prepared

We recently consulted on the Statement of Community Involvement for planning, which sets out how we will engage with stakeholders during the Local Plan making process. The SCI was informed by knowledge of the characteristics of the districts population and business community as set out in the Spatial Portrait (Local Plan Appendix D), Sustainability Appraisal Report (Part 1 Scoping, Chapters 6 &8) and Settlement Profiles, all available on the Council's website. The evidence for the Local Plan tells us about the housing and economic needs of the district and that Harborough has an aging population (with an older demographic than England) and a lower proportion of people from ethnic minority communities. As a mainly rural district, it also has issues relating to access to services for those without their own transport which can lead to isolation for many groups.

We have some quantitative data on the number / type of respondents who engage with the Council on planning policy matters and retain responses received on each planning application. We also have past experience and anecdotal information on customer's experience of recent consultation exercises to guide future practice.

The revised SCI will be endorsed by Council in Feb 2020 for publication on the Council's website. The new SCI sets out the framework for consultation and undertakes to use appropriate, fit for purposes and cost-efficient consultation techniques and methods which take account of the differing skill levels and abilities of the community. The SCI notes that consultation on individual policy documents may be tailored to suit the specific focus of a document being consulted upon or in relation to the topic or target audience likely to be impacted by the policy. Whilst the Call for Sites project is open to everyone, it is being targeted at people who have land that they wish to see developed, and those with an enabling role encouraging landowners, developers and agents to put their sites forward.

Some of the responses received to the SCI questioned the Council's commitment to meaningful engagement and requested earlier input, to help inform key decisions before they are made. This work is being followed up, and the

Call for Sites process may be able to benefit from user-testing from groups/town and parish councils that were keen to be more involved. SCl comments were also received on the ease of using technology and these comments will be considered when reviewing the Call for Sites process.

Previous work on equalities and planning has highlighted issues around lack of internet access, which has been considered about and lack of use of car/van, which should be less of a concern for an online only process.

Submission of sites through OpusConsult is subject to a validation process before any information is 'published'/ 'made live' on the web. A redact function is provided within the analysis function of OpusConsult. This will ensure we can apply a zero tolerance policy on any offensive/racist etc language. If any inappropriate comment were made they would be also removed from the database and followed up as appropriate.

Step 4: Potential impact

Considering the evidence from the data collection and feedback from consultation, which communities will be affected and what barriers may these individuals or groups face in relation to Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities and also the potential impact on Community Cohesion. Remember people have multiple characteristics so the impact of a policy on a particular community may impact people within the community differently. Where possible include numbers likely to be affected.

In light of COVID, it is deemed reasonable to move to an online only approach. Government guidance is clear that plan-making activities need to continue and utilise digital tools as necessary. This was the already the intention behind the Smarter Services project, but COVID has served to underline the need for this. Many months into the pandemic it would also seem reasonable to assume that people's expectations and proficiency in engaging online will have increased. However, efforts will still need be made to accommodate those (including those with protected characteristics) need help to access and use the online form, via support from Customer Services, Planning staff and ICT as appropriate.

The online-first nature of the call for sites exercise may present challenges for those with limited internet skills or access, particularly those with physical or mental health needs and those in rural areas where broadband access and speed may be more limited. To overcome this, we will offer support for those who wish to fill in the form online. We will also support the submission of online forms in external locations- promoting internet availability in libraries and at the Council offices. Due to COVID our advertising of the Call for Sites will also be limited to online only. Whilst we

would previously have looked to advertise the Call for Sites in suitable locations (traditionally libraries and council offices, and looking ahead NFU office, local solicitors and accountants etc.) COVID means we are simply unable to make hard copies available or to accept paper responses.

Publicity about the Call for Sites process will be multi-channel and include forums, meetings, posters, web publicity etc. to try and reach the widest audience possible. The inclusion of town and parish councils and councillors within the Smarter Services customer journey mapping should also help to identify any additional work they can do to overcome any barriers to engagement.

The Communications Plan sets out the approach to Comms in more detail. Of particular note is the focus on all forms of social media- Facebook, Twitter, Instagram, LinkedIn to appeal to a wide a range of social media users as possible. The HDC website meets the government's standards for accessibility as does OpusConsult. Customers could contact us directly if they have any additional needs or requirements.

Opportunities to produce video/audi content about the form and how to fill it in are being explored. The design of the form to include options and yes/no answers wherever possible will also minimise the need for writing/typing

Step 5: Mitigating and assessing the impact

If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons. If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately. If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people. Consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs have identified can be addressed.

Equalities issues have been considered in the process design of Call for Sites form from the very beginning. In light of COVID a further review was undertaken to consider any implications arising from this specifically, and these have been captured on this form, and in the Project Plan.

The forms will be in Plain English, and set up in a way that will allow the forms completed in sections, allow saving along the way. This is particularly helpful for those with certain physical or mental health challenges who may find

completing the form all in one go difficult. The set up of the process will ensure that it will be set out at beginning what is needed to complete the form. There will also be an opportunity for users to see the whole form before beginning to fill it in, which can be particularly helpful for certain people. The webpages and software design should offer scope for readable forms. The design of the form with more buttons and less need for text boxes should also assist those using assistive technologies/software or other people to help fill it in. Where even this is not possible the option of a phone service would be made available on an individual basis.

If people are unable to submit their sites on-line they will be able to call customer services, who will put them in touch with the planning team. We would then fill in a form on their behalf. There is no option to submit a site on paper as there is no one in the office to receive it or process it, and it is a COVID risk. It is anticipated those with multiple and/or large strategic sites will be familiar with online submission, as other LPAS undertake Call for Sites online regularly. For this with limited IT skills/bandwidth/internet access alternative provision may need to be made (access to the internet via the library- if open and COVID secure, or via our offices). Ultimately the only way to input data into the data base is via the online form (whether filled in by the site promoter or a planning officer).

Step 6: Making a decision

Summarise your findings and give an overview of whether the policy will meet Harborough District Council's responsibilities in relation to equality, diversity and human rights. Does it contribute to the achievement of the three aims of the Public Sector Equality Duty – eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity and foster good relations?

The Call for Sites process, will comply with the SCI, and as such contribute to HDC's responsibilities in relation to equality, diversity and human rights by setting out an approach to collecting information as part of the Call for Sites process, making planning policy and site information collection processes accessible and ensuring that responses can be made, considered and processed.

Clarity on the purpose of the Call for Sites will be important to foster good community relations, as new development is often a controversial subject. It will be important to make it clear that the Call for Sites is an information gathering exercise and does not confer any planning status to any sites submitted.

There is considered to be no overall adverse equality impact of the Call for Sites process.

Step 7: Monitoring, evaluation & review of your policy/procedure/service change

What monitoring systems will you put in place to promote equality of opportunity, monitor impact and effectiveness and make positive improvements? How frequently will monitoring take place and who will be responsible?

Consider any specific equalities issues facing the identified groups as an integral part of the Smarter Services methodology via the Customer Journey mapping

As required by the SCI, report annual Local Authority Monitoring Report (AMR) details of the Call for Sites exercise .

Record quantitative data on the number of respondents (by respondent category e.g. resident, developer / agent, statutory consultee and submission method e.g. online / email / letter) to the Call for Sites exercise.

Consider developing a satisfaction survey for users of the new Call for Sites process.

Explore the potential to collect and analyse equalities monitoring data via any online consultation system (Planning policy) or alternative consultation methods to enable a better understanding of the profile of users, identify any gaps or barriers for particular groups and to inform future consultation practices (beyond the statutory minimum) for the planning service. Although it has been decided not to collect equalities info as part of the form submission process, it would be useful to collect it in any user satisfaction surveys to see if particularly groups face any specific issues.

Explore the potential to collect qualitative data on people’s experience of using the online consultation system or attending consultation events related to the Call for Sites (e.g. conduct a satisfaction survey). Any data collection could be timed or related to the occasional cleaning of the contact database or to future consultations.

This will be undertaken after Call for sites has closed.

Seek feedback via Developer’s forum and/or ‘Summit’ follow-up

Feedback from users, role of members and Town and Parish Councils in encouraging feedback

Equality Improvement Plan

Equality Objective :

Action: Include equality question as part of form design (data on owners not agents)

Officer Responsible:

By when:

Equality Objective :

Action:

Officer Responsible:

By when:

Equality Objective :

Action:

Officer Responsible:

By when:

Equality Objective :

Action:

Officer Responsible:

By when:

Signed off by:

Date:

Once signed off, please forward a copy for publication to Julie Clarke, Equality and Diversity Officer
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