

Report Title:	Joint Central and Eastern Berkshire (JCEB) Minerals and Waste Plan - Adoption
Contains Confidential or Exempt Information	No - Part I
Lead Member:	Councillor Haseler, Cabinet Member for Planning, Parking, Highways and Transport
Meeting and Date:	Full Council – 22 nd November 2022
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Services & Adrien Waite, Head of Planning
Wards affected:	All

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REPORT SUMMARY

1. Following submission of the JCEB Minerals and Waste Plan in February 2021, hearings held in September and October 2021 and a consultation on Main Modifications between February and April 2022, the Inspectors have completed the examination and concluded that the JCEB Minerals and Waste Plan with the Main Modifications recommended in their Final Report make the Plan sound and capable of adoption.
2. The report recommends that the Council adopt the JCEB Minerals and Waste Plan with the main modifications recommended by the Inspector. Any decision not to adopt the JCEB Minerals and Waste Plan will have significant negative implications, as set out in the report.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the report and resolves to:

- i) **Adopt the JCEB Minerals and Waste Plan (as set out in Appendix B), which incorporates the Main Modifications recommended by the Inspector (Appendix D).**
- ii) **Agree to make the alterations to the adopted Policies Map (as shown in Appendix C) that are necessary to give effect to the policies of the adopted JCEB Minerals and Waste Plan as modified.**
- iii) **Delegates authority to the Head of Planning, in consultation with the Cabinet Member for Planning, Parking, Highways and Transport to make any minor non-material corrections as additional modifications to the adopted JCEB Minerals and Waste Plan as considered necessary ahead of publication and publicity in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
<p>Adopt the JCEB Minerals and Waste Plan (and agree to make the necessary alterations to the adopted Policies Map) with the Main Modifications recommended in the Inspectors' Report.</p> <p>This is the recommended option</p>	<p>Adopting the JCEB Minerals and Waste Plan would ensure that the Council has an up-to-date strategic planning framework for guiding minerals and waste development, as required by law.</p> <p>It will also assist in the delivery of the objectives of the new Corporate Plan, supporting economic growth and sustainable waste development to enable resource efficiency and drive waste management up the waste hierarchy. The supply of minerals is also important to enable the delivery of infrastructure, buildings, energy and good quality of life.</p>
<p>Not adopt the JCEB Minerals and Waste Plan (and associated Policies Map) with the Main Modifications as recommended in the Inspectors' Report.</p>	<p>The JCEB Minerals and Waste Plan can only be adopted with all of the Main Modifications recommended by the Inspectors. Not adopting the JCEB Minerals and Waste Plan would mean that the existing out of date adopted Minerals and Waste Plan policies would remain.</p> <p>The Council would not have robust and up to date policies that were compliant with the National Planning Policy Framework and the National Planning Policy for Waste. The resources incurred to prepare this plan would have been largely wasted. A decision not to adopt the JCEB Minerals and Waste Plan could provoke an intervention by the Secretary of State, and legal challenges by site promoters.</p>

Background

- 2.1 The unitary authorities in Berkshire have responsibility for planning for the future production of minerals and for the management of waste disposal within the Berkshire area. Minerals and Waste is an area of planning which is strategic in nature and as such is better planned for on a larger geography than an individual unitary authority.

- 2.2 The Royal Borough of Windsor and Maidenhead is working with Bracknell Forest, Reading and Wokingham Borough councils to produce a Joint Central and Eastern Berkshire (JCEB) Minerals and Waste Plan which will guide minerals and waste decision-making in the Plan area for the period up to 2036. The councils are using Hampshire Services as a consultant to undertake this work.

Plan-making process

- 2.3 There are three distinct and sequential stages in the statutory plan-making process under Part 2 of the Planning and Compulsory Purchase Act 2004 ('the 2004 Act'). These are as follows:
- the preparation stage, which ends when the draft Plan is submitted to the Secretary of State for independent examination.
 - the examination stage, where a planning inspector(s) ascertains whether the submitted plan is sound and legally compliant. This ends when the Inspector(s) delivers their final report to the LPA(s).
 - The adoption stage, when the LPA(s) decide whether to accept the recommendation made by the Inspector(s) in their final report.
- 2.4 The JCEB Minerals and Waste Plan has been prepared over several years. The key milestones have been as follows:
- Summer 2017 - The first stage in Plan preparation was the Issues and Options consultation.
 - Summer 2018 - JCEB Minerals and Waste Plan Draft Plan consultation.
 - Summer 2019 - 'Call for Sites' exercise carried out leading to additional Regulation 18 (Site Specific) consultation.
 - Spring 2020 – Consultation focussing on Sand & Gravel Provision and Operator performance.
 - Autumn 2020 - Regulation 19 Proposed Submission Plan Consultation.
 - February 2021 - Regulation 22 Submission of Documents to the Secretary of State for Examination. Planning Inspectors Rachael A Bust (Lead Inspector) and Nicholas Palmer were appointed to undertake the independent examination on the soundness of the Plan.
 - September and October 2021 - Examination hearing sessions held. More information on the public hearings be found at: <https://www.hants.gov.uk/berksconsult>
 - January 2022 – Cabinet resolved to delegate authority to the Head of Planning in consultation with the Lead Member for Planning, Environmental Services and Maidenhead, to publish the Schedule of Proposed Main Modifications (to be agreed with the Inspector), for public consultation for six weeks. The key Proposed Main Modifications (PMMs) related to

- Strengthening the climate change approach
 - Strengthening the protection of AONBs, the countryside, Green Belt and heritage assets
 - Strengthening the approach to avoiding flooding risks
 - Amending the Operator Past performance policy to refer to Site History instead, to be in line with national policy on land-use planning
 - Stressing the importance of monitoring mineral requirements and where the minerals will be sourced from
 - Clarifying the Area of Search approach to minerals
 - Adding a number of relevant development considerations to the allocated sites.
- February to April 2022 - Consultation on Proposed MMs. A total of 28 duly made representations (and three late responses) on the PMMs were received, including from statutory bodies such as the Environment Agency, Highways England and Natural England, members of the public, local organisations, and site promoters / developers. These were forwarded to the Inspector and published.
 - October 20th, 2022 - Inspectors' Final Report received. The Inspectors' Report concluded that the JCEB Minerals and Waste Plan with the Main Modifications recommended in their Final Report make the Plan capable of adoption and found the Plan to be sound. The main conclusions are as follows:

101. *The Central and Eastern Berkshire Joint Minerals and Waste Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.*

102. *The Authorities have requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix the Central and Eastern Berkshire Joint Minerals and Waste Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.*

The MMs recommended by the Inspector are substantially the same as the PMMs published for consultation in February 2022, with no significant changes.

2.5 The proposed adoption version of the JCEB Minerals and Waste Plan incorporating the Main Modifications (Appendix E) has been produced (Appendix B). ‘

Adoption

- 2.6 The independent examination stage of the plan-making process concluded when the Inspectors sent their Final Report to the Council. The Council now has a binary choice: either (1) resolve to adopt the Plan with the Main Modifications recommended by the Inspectors; or (2) decide not to adopt the Plan.
- 2.7 The Council must not adopt the Plan unless it does so in accordance with the Inspectors' recommendation. The Inspectors have concluded that all of the recommended MMs are necessary to make the Plan sound. As such, the Council is not permitted to adopt the Plan without all of the MMs. To be clear, the Council is not empowered to amend or materially change the Plan.
- 2.8 At this stage in the process, Government guidance on Plan-making is clear on the expectation of the Council, noting *"While the local planning authority is not legally required to adopt its local plan following examination, it will have been through a significant process locally to engage communities and other interests in discussions about the future of the area, and it is to be expected that the authority will proceed quickly with adopting a plan that has been found sound."*
- 2.9 Once the Plan is adopted, it will become part of the statutory Development Plan and have full weight in the determination of planning applications. Officers strongly advise that the Plan be adopted, for reasons set out in the next section.

3. KEY IMPLICATIONS

- 3.1 The planning system is plan-led and the law requires planning decisions to be taken in accordance with the statutory development plan unless material considerations indicate otherwise. By section 13 of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act"), the Council as LPA has a statutory duty to keep under review matters which may affect the development of its area, and by section 17(6) must keep under review its local development documents in light of those matters.
- 3.2 The Council's adopted Minerals and Waste Local Plans date back to 2001 and 1998 respectively, and pre-dating the local planning regime introduced by Part 2 of the 2004 Act and the National Planning Policy Framework (NPPF) in 2011 (most recently revised in 2021). Further Government policy is also set out in the National Planning Policy for Waste (2014). All Mineral and Waste Planning Authorities (including Bracknell Forest, Reading Borough Council, the Royal Borough of Windsor & Maidenhead and Wokingham Borough Council) are required by law to produce a Plan setting out their policies for guiding minerals and waste development that is compliant with the NPPF which outlines the national policy requirements set by Government. The Council's existing policy framework for Minerals and Waste is not fully compliant or consistent with national requirements.
- 3.3 The adoption of the JCEB Minerals and Waste Plan is a key priority that will facilitate the Council's strategic planning objectives. Minerals are essential to support economic growth and their supply is important to enable the delivery of infrastructure, buildings, energy, and goods for quality of life. It is important that provision is made for sustainable waste development to enable resource efficiency and drive waste management up the waste hierarchy. Adopting the JCEB Minerals and Waste Plan without delay would therefore benefit the wider community in a number of important respects. In addition, adoption will also

provide the Council with greater control at the planning application stage as the Council will have up-to-date policies to use when determining Minerals or Waste based planning applications. Second, it will help to protect communities from development associated with speculative planning applications on land in less sustainable (or less suitable) locations; third, it will strengthen the protection of Green Belt land from opportunistic proposals for inappropriate waste development.

- 3.4 It should be noted that a decision not to adopt the JCEB Minerals and Waste Plan may provoke an intervention by the Secretary of State and the promoters of sites allocated for development in the Plan may consider challenging the lawfulness of the Council's decision by way of an application for judicial review. These matters are discussed further below under 'Legal Implications'.
- 3.5 Non-adoption of the Plan would also increase the risk that the delivery of key Minerals and Waste sites would be delayed. Furthermore, any delay would affect the delivery of much needed vital Minerals and Waste operations in the Borough.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Council agrees to adopt the JCEB Minerals and Waste Plan on 22/11/22	Plan not adopted	Plan is adopted on 22/11/22	n/a	n/a	22/11/22

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 Work on the Minerals and Waste Plan commenced in 2017 and it has now reached an advanced stage of production, with adoption expected to take place later this year. The cost of producing the Minerals and Waste Plan to date (to October 2021) has been around £1.0m collectively (approximately £250,000 for each Council) (including evidence studies, legal advice and Inspector and programme officer costs). This has already been funded from existing resources. The adoption process itself does not carry significant costs.
- 4.2 A decision not to adopt the JCEB Minerals and Waste Plan would mean the resources used to prepare this plan would have been largely wasted. The Council must exercise its plan making powers lawfully with regard to its general duty to act in the public interest, its fiduciary duties and in a manner which accords with the statutory purpose of the powers. It is also a statutory requirement to maintain an up-to-date development plan, and not adopting the Plan would have other indirect financial implications, including fighting planning appeals.
- 4.3 If the Council was faced with one or more legal challenges to the JCEB Minerals and Waste Plan after its adoption, defending these would need to be funded and may impact on the resources available for other service delivery.

5. LEGAL IMPLICATIONS

- 5.1 The Planning and Compulsory Purchase Act 2004, as amended ("the 2004 Act") requires local planning authorities to prepare Local Plans. The Town and Country Planning (Local Planning) (England) Regulations 2012, as amended, ("the 2012 Regulations") set out the procedures to be followed in the preparation of such Plans.
- 5.2 Pursuant to section 23 of the 2004 Act, the LPA may only adopt a submitted Development Plan Document (such as the JCEB Minerals and Waste Plan) in accordance with the Inspector's recommendations, as recorded in the final report on the examination delivered to the LPA in accordance with section 20 of the Act. In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the decision to adopt under section 23(3)(b) must be taken by Full Council. Otherwise, the Cabinet has responsibility for discharging the LPA's functions connected with local planning under Part 2 of the 2004 Act and the 2012 Regulations.
- 5.3 However, it should be noted that the powers conferred on the LPA by section 23(3) are discretionary in nature. The Council must exercise its discretionary plan-making powers under Part 2 of the 2004 Act lawfully, in accordance with its general duty to act in the public interest, its fiduciary duties, and in a manner that gives effect to and does not defeat the statutory purpose of its powers.
- 5.4 Any decision not to adopt the JCEB Minerals and Waste Plan in accordance with the Inspectors' recommendation will be amenable to judicial review. Leaving aside intervention by the Secretary of State (which is addressed below), if the Council decides not to adopt the JCEB Minerals and Waste Plan it is very likely that the promoters of sites allocated for development in the Plan will seek to challenge the lawfulness of the Council's decision by way of an application for judicial review.
- 5.5 The Secretary of State has the power to intervene in plan making; this includes that the plan be submitted to the Secretary of State for approval (sections 21 to 21A of the 2004 Act). Recent experience elsewhere, including South Oxfordshire District Council, indicates that a decision not to adopt the JCEB Minerals and Waste Plan under section 23 may provoke an intervention by the Secretary of State. Section 27(5) empowers the Secretary of State to (a) approve the Plan with MMs recommended by the Inspectors, or (b) direct the Council to consider adopting the Plan by resolution of the authority.
- 5.6 Following adoption, the Council will need to comply with the requirements of the 2012 Regulations to make adoption documents available and to notify persons who asked to be notified (and other consultees) as soon as reasonably practicable. On adoption of the JCEB Minerals and Waste Plan, any person aggrieved may, under Section 113 of the 2004 Act, make an application to the High Court to legally challenge the Plan. This application must be made during the six-week period starting with the date of adoption. The High Court may quash the Plan wholly, or in part.
- 5.7 The Inspectors' Final Report confirms their conclusion that the JCEB Minerals and Waste Plan satisfies the legal requirements within section 20(5)(a) of the 2004 Act. The examination was conducted in a very thorough and considered manner by the appointed planning inspectors. If a legal challenge is made, the

Council would robustly defend the plan and its validity. Officers consider that the risk of a successful legal challenge is low.

6. RISK MANAGEMENT

6.1 The headline risks are set out in Table 3 below.

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Non adoption of JCEB Minerals and Waste Plan resulting in implications explained in this report, including legal challenges, Government intervention and further costs to the Council	High	Adoption of Plan	Low
Following adoption of the JCEB Minerals and Waste Plan, successful legal challenges are made.	Medium	The relevant statutory procedures have been met during the preparation of the Plan. The examination was conducted in a very thorough and considered manner by the appointed planning inspectors	Low

7. POTENTIAL IMPACTS

7.1 Equalities. The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered. A [EQIA \(Equalities Impact Assessment\) Screening](#) has been completed and is available in Appendix A.

7.2 Climate change/sustainability. The (JCEB) Minerals and Waste Plan includes a number of strategic objectives around the environmental effects of minerals and waste development, including objective 4, which is to:

“Help mitigate the causes of, and adapt to, climate change by; positive design of development; developing appropriate restoration of mineral workings; prioritising movement of waste up the waste hierarchy; reducing the reliance on landfill; maximising opportunities for the re-use and recycling of waste; and

facilitating new technologies to maximise the renewable energy potential of waste as a resource”.

7.3 The proposed main modifications to the (JCEB) Minerals and Waste Plan were subject to Sustainability Appraisal, which assessed the effect of the plans and proposals on environmental, social and economic objectives, and is a statutory requirement of plan making. The Sustainability Appraisal Addendum, which was published alongside the Main Modifications, has identified that the modified policies will have either neutral or positive effects on the identified sustainability objectives, which cover environmental objectives relating to climate change and emissions (as well as biodiversity, water quality, landscape and heritage, ground conditions, air quality and flood risk). A “SA/SEA Post Adoption Statement” has been produced and this is available as Appendix F. It shows that the Central and Eastern Berkshire Authorities have undertaken a comprehensive, rigorous and robust integrated Sustainability Appraisal and Strategic Environmental Assessment of the Joint Minerals and Waste Plan that is compliant with the SEA Regulations (and EU SEA Directive pre-Brexit), and the Planning and Compulsory Purchase Act requirements on SA.

7.4 Data Protection/GDPR. No impacts.

8. CONSULTATION

8.1 As stated in Section 2 above, the JCEB Minerals and Waste Plan has been subject to extensive public consultation over several years.

8.2 Following adoption, the Council will notify those who have made representations (along with other persons and organisations on the consultation portal database) that the plan has been adopted and make the adoption documents available in accordance with Regulations 26 and 35 of the 2012 Regulations. As soon as practicable after adoption, it will be necessary to make paper copies of adoption documents available for inspection, for example in libraries.

9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 4.

Table 4: Implementation timetable

Date	Details
22 November 2022	JCEB Minerals and Waste Plan recommended for adoption.
Late November/Early December 2022	Adoption documents publicised and consultees notified.
3 January 2023	Six-week legal challenge period ends.

10. APPENDICES

10.1 This report is supported by seven appendices:

- Appendix A – EQIA (Equalities Impact Assessment) Screening
- Appendix B - Joint Minerals and Waste Plan
- Appendix C – Joint Minerals and Waste Plan Policies Map
- Appendix D – Inspectors’ Report
- Appendix E – Inspectors’ Report Appendices
(1) Main Modifications
- Appendix F – HRA Record of Assessment and Determination
- Appendix G – Draft SA-SEA Adoption Statement

11. BACKGROUND DOCUMENTS

This report has no background documents.

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	31/10/22	14/11/22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	31/10/22	03/11/2022
Louisa Dean	Communications	31/10/22	
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	31/10/22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	31/10/22	9/11/22
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	31/10/22	8/11/22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Tony Reeves	Interim Chief Executive	31/10/22	
Andrew Durrant	Executive Director of Place	31/10/22	10/11/22
<i>Heads of Service (where relevant)</i>			
Adrien Waite	Head of Planning	31/10/22	
<i>External (where relevant)</i>			
Cllr Haseler	Cabinet Member for Planning, Parking, Highways and Transport	28/10/22	28/10/22

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision	No	No

Report Author: Adrien Waite, Head of Planning

Appendix A - EQIA (Equalities Impact Assessment) Screening

Essential information

Items to be assessed: (please mark 'x')

Strategy	x	Policy	x	Plan	x	Project		Service/Procedure	
Responsible officer	Adrien Waite, Head of Planning, Place Services			Service area	Planning		Directorate	Place	
Stage 1: EqIA Screening (mandatory)				Date created: 07/11/2022		Stage 2 : Full assessment (if applicable)			Date created: N/A

Approved by Head of Service / Overseeing group/body / Project Sponsor:

"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): Adrien Waite

Dated: 14/11/2022

Guidance notes

What is an EqIA and why do we need to do it?

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.

EqIAs are a systematic way of taking equal opportunities into consideration when making a decision and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

What are the "protected characteristics" under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqIA?

The process for conducting an EqIA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

Stage 1 : Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The overall aim of this EQiA is a supplementary screening related to the proposed Adoption of the Joint Minerals and Waste Plan. This Equality Impact Document will support the report to Council on 22nd November 2022 where the recommendation to 'adopt' the Joint Minerals and Waste Plan will be made.

Previous EqlA assessments on the emerging Joint Minerals and Waste Plan have been carried out and concluded no negative outcome in the assessment of relevant protected characteristics:

1. Supplementary EqlA screening in relation to the production of a final set of 'main modifications' followed by a public consultation on the modifications to the Joint Minerals and Waste Plan. This was appended to the report to Cabinet on 27th January 2022.
 2. A full EqlA was undertaken in June 2017 to support the Issues and Options consultation and there was a further EqlA undertaken in 2020 to support the submission version of the Plan. These EqlAs were produced by Hampshire Services and are in the Examination Library.
- The Joint Minerals and Waste Plan is being positively prepared to guide development of minerals and waste sites in Central and Eastern Berkshire to 2036. This will provide developers, landowners, and members of the public certainty as to where sites are likely to be developed as well as setting out the criteria by which sites will be assessed when considering whether it would be appropriate to grant planning permission.
 - The Vision for the Plan states that, 'In recognition of the importance of the area as a source of minerals, the Central & Eastern Berkshire Authorities will aim to ensure the maintenance of a steady and adequate supply of minerals, whilst maximising the contribution that minerals development can bring to local communities, the economy and the natural and historic environment'.
 - The Joint Minerals and Waste Plan sets out site allocations and development management policies to replace, as appropriate, previous Adopted Minerals and Waste Local Plan policies.
 - The Joint Minerals and Waste Plan will sit alongside any further adopted Development Plan Documents, including the Borough Local Plan and Neighbourhood Plans.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as "Not Relevant".

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Not relevant		N/A	No adverse or positive impacts on any people in particular age groups have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people in particular age groups.
Disability	Not relevant		N/A	No adverse or positive impacts on any people with disabilities have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people with any disabilities.
Pregnancy and maternity	Not relevant		N/A	No adverse or positive impacts on any people with pregnancy or maternity issues have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people who are pregnancy or have young children.
Gender re-assignment	Not relevant		N/A	No adverse or positive impacts on any people of any gender have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people of any gender.
Marriage/civil partnership	Not relevant		N/A	No adverse or positive impacts on any people with marriage/civil partnership issues have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people who are married or in a civil partnership.
Race	Not relevant		N/A	No adverse or positive impacts on any people of any race have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people of a particular race. Earlier EqIA's have identified that if specific issues arise with an allocated site then the subsequent application could be undertaken at application stage.
Religion and belief	Not relevant		N/A	No adverse or positive impacts on any people of faiths have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people of faiths.
Sex	Not relevant		N/A	No adverse or positive impacts on any people of any sex have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people of any sex.

Sexual orientation	Not relevant		N/A	No adverse or positive impacts on any person in relation to their sexual orientation have been identified as likely to result from the Plan. It is not considered that the Plan would be discriminatory to any people relating to their sexual orientation.
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Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	It is considered that the allocations and policies within the Joint Minerals and Waste Plan are unlikely to have a disproportionate impact on any group. The Joint Minerals and Waste Plan includes a series of Monitoring Indicators. These indicators will be routinely reviewed and published annually via the Authority Monitoring Report. Previous stages of the preparation of the emerging Joint Minerals and Waste Plan enabled groups and individuals to make representations regarding soundness and legal compliance and relevant changes from consultations have been incorporated into the Joint Minerals and Waste Plan where necessary.	Head of Planning	On adoption, the Joint Minerals and Waste Plan will be used to determine planning applications, which will enable delivery of the positive impacts identified.
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	N/A	Head of Planning	

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

Stage 2 : Full assessment

2.1 : Scope and define

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

2.2 : Information gathering/evidence

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Advance equality of opportunity

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

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